



NGO COMMON POSITION PAPER: TRANSPORT¹

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¹NGO position paper prepared for the Environmental Forum Annual Meeting, 25-27 September 2011, Brussels. This paper represents the opinions of NGOs as gathered during the preparation of this paper.

The Environment Forum is jointly managed by



Project financed by the
European Commission



1. BACKGROUND AND METHODOLOGY

Thematic Papers are developed for each Annual Meeting (AM) of the EF project to prepare more targeted sessions with the European Commission and explore topics of concern to NGOs in the enlargement process. At the 2010 AM, EF NGOs selected 'Transport' and 'Energy' as two thematic topics for the 2011 AM. It was also agreed that the papers will be developed in the form of **common position papers** that can be presented to the European Commission and could also be useful for a broader audience at the national and regional level.

As a first step to developing these papers, NGOs discussed the two topics during Preparatory Meetings held in February - April. The topics were further discussed at the Regional Meeting (RM) in May where NGOs agreed on a format for the papers and raised some key issues relating to the topics. After the meeting, NGOs provided further input on the most important issues in the development of the transport sector in their country and in the region, their key demands for different actors regarding current and future transport policy, and provided examples of transport projects. Input was received from NGOs in Bosnia and Herzegovina, Croatia, FYROM, Kosovo, Montenegro, Serbia and Turkey. This paper represents the opinions of NGOs as gathered during the preparation of this paper².

2. KEY REGIONAL PROPOSALS FOR ACTION

General demands

- Improve political and financial support for **sustainable urban transport**.
- Develop **intermodal transport**, construct **trans-shipment terminals** and modernise **railways**.
- **Internalise the external costs** of transport.
- Set up a **green fund to support intermodal shifts** at national, regional and local levels that contribute to the achievement of climate change targets.
- Establish **public financial support for national and regional NGO representatives in consultation processes for transport programs and projects** (IPA support for NGOs in line with national and local budgets). This body of representatives should become a counterpart for the dialogue between national and regional authorities and the EU and IFIs and should become institutionalized and recognized as an assisting body for national and local planning. This body of representatives should also support local communities in planning and consultations within the framework of EIA and SEA processes.

International Financial Institutions (IFIs):

- IFIs should primarily **follow demands at the national and local level** rather than focusing on the regional perspective, in particular increasing support for sustainable transport projects, including urban projects and intermodal investments; IFIs should **promote sustainable transport solutions among national governments**.
- **Avoid financing transport projects through PPPs** (public-private partnerships) which bring additional burdens to the national budget; and

²This paper is linked to the NGO Common Position Paper on Energy that has also been produced for the 2011 AM, as well as thematic papers developed and discussed at previous AMs relating to Climate Change, Biodiversity and SEA.

- The EBRD and EIB should consider the influence on climate change of transport projects and should only support those projects which contribute to the achievement of EU climate change objectives. They **stop investing in the construction of motorways and airports** and should **instead support the development of railways, water transport and urban public transport.**

European Commission (EC):

- The EC should **not provide support to damaging projects**, especially those harming natural habitats (future Natura 2000 sites).
- **Ensure all necessary procedures related to environmental protection are carried out according to relevant EU Directives before financing a project**, e.g. for the DemirKapija-Smokvica project in the FYROM, the EIA procedure was repeated to suit the requirements of the EU EIA Directive;
- Provide **more information regarding funds dedicated to environmental CSOs** in relation to the transport sector;
- **Under IPA**, the EC should support the **stronger involvement of environmental CSOs in the programming and monitoring of transport projects** and support their **capacity building and networking**;
- Support the involvement of environmental CSOs in transport related decision-making through representatives in relevant technical committees of the **Transport Community**; and
- **Manage the involvement of EF+ organisations in consultations on TEN-T and other national transport related projects** (especially those financed directly from EU or EU IFIs). The involvement of EF+ could be a precondition for implementation of transport projects.

National Governments:

- National governments should **increase the competitiveness of sustainable modes of transport**;
- **Recognize EF+ in the national planning process**;
- Improve the **announcement of public discussions on SEAs** relating to transport projects which have cross-border effects so as to include the public from other countries in the process;
- Ensure **strategic environmental assessments** of all national policies and programs;
- **Mainstream climate change obligations and sustainable development in cross-cutting laws and strategies**, e.g. on financial stability, macro-economic stability, industrial development, in order to **avoid contradicting policies, programs and projects**;
- Ensure investments in the transport sector reflect the goal of **increasing the modal share of sustainable transport modes**; and
- Improve **planning, coordination, public participation, implementation of EIA and SEA legislation, transparency, publish concession contracts, and reduce corruption.**

EF

- The EF should help **organise meetings and help strengthen dialogue between NGOs and government institutions** in the transport sector;
- The EF and representatives of local NGOs should be **systematically involved in early phases of planning and in strategic planning decisions for the region.**

NGOs

- NGOs should be **more active in public discussions and the decision-making process** on important projects in the transport sector.

3. ELABORATING THE REGIONAL POSITION

This section provides some justification for the regional demands set out in Section 2 above.

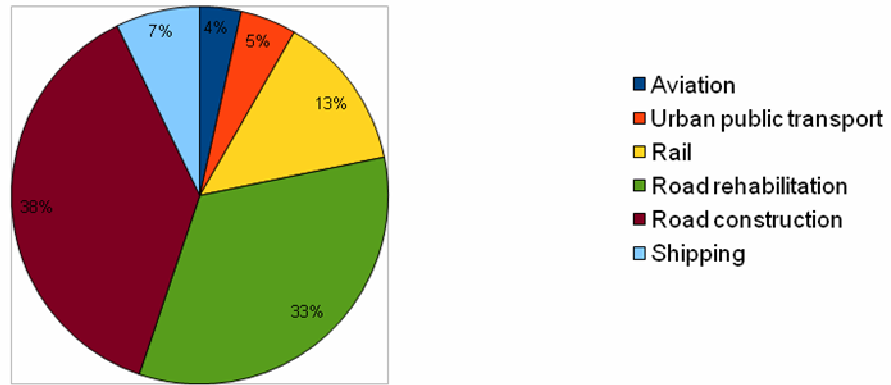
The transport sector continues to be a source of significant environmental pressure in the EU. Emissions from transport are a **major source of greenhouse gas (GHG) emissions** and exacerbate problems with poor **air quality and noise**, particularly in urban areas. The construction and existence of transport infrastructure also has implications for **biodiversity conservation**, fragmentation of landscapes and ecosystems, and the use of raw materials. Addressing these trends will be a major challenge for the candidate and potential candidate countries as they aim to meet the EU's climate change targets as well as wider environmental protection objectives.

The **road sector is the dominant transport mode** in the candidate and potential candidate countries and **is allocated the largest amount of funding**. In the 2000-2009 period, 70 per cent of EBRD transport investments and 71 per cent of EIB transport investments in the Western Balkans were focused on road rehabilitation and construction (see Figures 1 and 2). More than half of these investments are for new motorway construction projects. A large part of investments in infrastructure encourages car travel, e.g. building new car parks in city centres rather than investments that would reduce car travel such as park and ride schemes.

Investments in **more sustainable transport modes such as railways and local (urban) transport** and efforts to improve **intermodal transport currently receive substantially less funding**. Railway infrastructure in the countries is underdeveloped and the share of railway transport in the region as a whole is deteriorating. The majority of railway companies are often considered to be over-staffed and inefficient³ and urban public transport companies are considered to be run inefficiently. **Public urban and regional transport is underdeveloped** and there is **poor co-ordination between urban tram/bus transport and the rail network**, e.g. lack of transferrable tickets. These investment patterns are **not in line with wider EU climate change and energy objectives and threaten to lock these regions into carbon-intensive infrastructures and place them on an unsustainable long-term development path**.

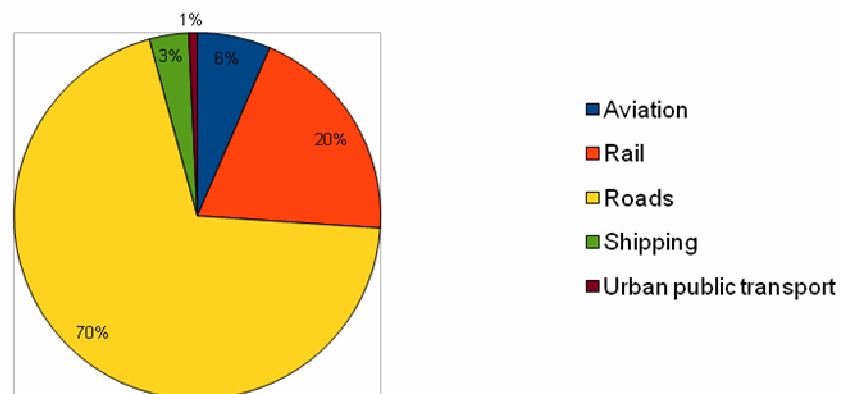
³ EESC (2010) OPINION of the European Economic and Social Committee on Transport policy in the Western Balkans, Rapporteur: Mr Zoltvány, REX 293, Transport policy in the Western Balkans, Brussels, 17 March 2010

Figure 1: EIB transport investments in the Western Balkans (2000-2009)



Source: Bankwatch database compiled from EIB annual reports <http://www.eib.org/about/publications/annual-report-2010-activity.htm>

Figure 2: EBRD transport investments in the Western Balkans (2000-2009)



Source: Compiled from EBRD database <http://www.ebrd.com/pages/research/publications/flagships/annual.shtml>

The state of transport infrastructure in the candidate and potential candidate countries can in part be explained by the **lack of planning and investment support from IFIs and EU funds for local transport**

solutions and the lack of national budgetary support for local projects. To a large extent, local networks, e.g. local railway networks, do not have systematic support and this leads to further deterioration in the quality of local transport infrastructure. IFIs and EU funds do not recognise the need for investment in local transport solutions, national governments tend to focus on AXES and TEN-T corridor projects over national and local needs, while in some cases the construction of transport infrastructure is led by business / industry interests.

There is currently a **lack of appropriate coordination and planning at the local, national and regional levels.** Where planning does take place, this is often not based on real needs and does not adopt a long-term approach. In Albania for example, national and local strategies and documents are not harmonised while in Montenegro, Ministries provide significant financial resources to revise old strategic documents which are no longer relevant. In Croatia the national transport strategy dates from 1999, while Zagreb city does not have a strategy at all. The approach taken by decision-makers in the candidate and potential candidate countries does not seem to take into account the **climate impacts of road transport and aviation** and the need to reduce them in transport planning or to move away from oil-based transport. Moreover, there is **poor co-operation and coordination between governments, local authorities and civil society.** In Turkey, for example, there is no horizontal cooperation within Ministries and between the Ministry and other institutions. This has led to weak strategic documents (where they do exist) which contribute to inappropriate or short-sighted investment decisions.

Negotiations are under way for the Treaty establishing a **Transport Community with the Western Balkans** which will replace the existing MoU for the development of the South East Europe Core Regional Transport Network. The adoption of the Treaty will have a significant impact on the development of transport infrastructure in the region. The Treaty is expected to **focus on core regional networks, rather than national needs.** While there are some benefits to this approach, there are also a number of drawbacks. The liberalisation of the market and transport will speed up the restructuring of the transport sector and will have implications for many local uncompetitive companies and the labour market. For example, the Railway Company in the FYROM has already reduced its staff from 7000 to 3200 employees and is expected to further reduce staff following the entry of transport operators from other parts of Europe. Limited economic prospects, tax policies, and the lack of credit in the country decrease the opportunity for re-absorbing the redundant workforce in the labour market. There is also the danger that **investments and national resources will be absorbed by the core regional networks.** As national governments have limited financial capacities to invest in the modernisation of rolling stock, local railway lines may be forced to close down, non-core activities will be outsourced etc. Therefore, it is critical that **investment decisions in transport infrastructure take into account national priorities,** e.g. the need to develop internal transport infrastructure.

There are however **some situations where a more regional approach should be adopted,** in particular where **common/trans-boundary natural resources** are at stake. For example a regional approach to the development of transport in the Adriatic Sea is important to ensure the transposition of EU standards related to the sea and environmental protection in domestic legislation. A regional approach to the management of river transport, e.g. on the Danube River, would also be important as investments in waterways should take into account biodiversity considerations, implementation of the

water framework Directive etc. A regional approach to the development of an **integrated railway system across the different countries** would be another case where a wider regional approach is appropriate.

Another key problem in the candidate and potential candidate countries is the **weak implementation of EIA and SEA procedures** relating to road, air, sea and railway transport projects and plans. Although EIA and SEA procedures exist, their **implementation is often weak / non-existent**. This remains a problem in cases where the EU and IFIs are involved. In Albania for example, although a draft EIA Law has been finalised it is not clear when it will be approved by the Government/Parliament. In the FYROM, the link between biodiversity investment, transport and construction is not adequately taken into consideration. There are also cases of actors **exaggerating the positive socio-economic impacts of certain developments or downplaying negative aspects for transit countries** to increase their acceptance, e.g. corridor Vc in Bosnia-Herzegovina which many decision-makers emphasise as key to improving the economic situation in the country. **Lack of public participation** is a problem in a number of countries, e.g. in Albania, Bosnia-Herzegovina, and in Serbia where public participation in decision-making processes related to transport projects is often 'cosmetic'. In Turkey, the Aarhus Convention has not yet been ratified and the culture of dialogue between the Government and NGOs is not well developed. Part of the reason behind this relates to the **limited capacity of CSOs in these countries**. Thus, there is a need for environmental CSOs to improve their capacities and coordination and for governments to improve processes to ensure that the interested public is informed on time about proposed plans / projects and have the opportunity to participate in these processes.

Other problems relate to a **lack of transparency and widespread corruption** in the decision-making process related to public works and services procurement, including those for IFIs. In Kosovo/UNMIK for example, one problem relates to the lack of openness of the Government in unveiling policies and plans in time and in opening space for more public participation. In Albania problems relating to corruption and the 'political mafia' were also noted. Other examples of corruption in the transport sector include scandals related to Croatian motorways. Another issue relates to the support of the EBRD and EIB for **Public-Private Partnerships (PPPs)** in infrastructure projects despite their poor record and the opportunities they offer for corruption. PPPs have often resulted in overpriced projects with little risk transferred to the private sector and in high off-balance sheet debt burdens for the public sector.

4. KEY NATIONAL ISSUES

BOSNIA AND HERZEGOVINA

The development of the highway on corridor Vc poses a serious threat to a valuable biodiversity site, the Prenj mountain area, which is planned to be national park. Although a draft law on the Prenj national park was developed in 2007, different lobby groups are preventing it from being finalised in the parliamentary process. CSOs are also not involved in monitoring the limited number of strategic documents that target transport issues.

CROATIA

Over the last few years, railway development has been neglected in favour of road transport (particularly the construction of motorways in the last decade) and there is an urgent need for more investments in railway infrastructure. In 2008, the Croatian Parliament accepted the National program of railway infrastructure for 2008-2012 for which 18 billion HRK was to be allocated. Unfortunately, the start of many projects has been delayed. In developing railway infrastructure in the future, it is important to focus on sub-urban transport of big cities as the return of investment is much shorter than large and costly infrastructure projects. Bigger projects could be implemented in the future once the economy has recovered.

NGOs in Croatia call on the Government to:

- Create a new National Program of Investment in Railways Infrastructure (bearing in mind that the current Programme is not implemented as planned) which prioritises urban transport in large cities. The whole system of railway infrastructure should be modernised (currently one third of railways are electrified and 92 per cent do not allow speeds higher than 120 km/h);
- Allow for the transport of bicycles on trains;
- Support the construction of the new railway track from Karlovac – Rijeka but undertake wide public consultations to minimize any negative effects of the project on the environment;
- Oppose the construction of the Danube – Sava canal because it would have negative effect on biodiversity in eastern Slavonija; and
- Oppose the construction of the Pelješac bridge which aims to connect the Croatian peninsula of Pelješac with the mainland. The Government justifies the construction by arguing that there is a need to make a road bypass of the territory of BiH, however NGOs consider that there is no economic or transport justification of the project.

FYROM

The development of the transport sector in the FYROM is concentrated on the construction of new and rehabilitation of existing roads. There are currently two credit lines from the WB and EBRD for the reconstruction of local and regional roads across the country; however a very small proportion of the funds is being used (even though the funds were approved in 2008 and 2009 respectively).

NGOs in FYROM call on the Government to:

- Develop sustainable transport alternatives in the country, focusing in particular on the rehabilitation and modernization of the existing railway network and the development of new branches;
- Halt the development of new motorway projects and instead develop local roads;
- Develop sustainable urban transport, especially in Skopje to improve the living environment in the cities, human health, and to combat climate change;
- Not to construct new roads which pass through and affect protected areas in the country; and
- Ensure transparency and active public involvement in decision-making processes in the transport sector.

KOSOVO⁴

An important issue relates to the development of the Vermicë-Merdare highway and in particular the process of assessing the environmental impact of this project. To date, there has not been an adequate level of transparency for this project, in particular relating to its EIA. The role and inclusion of public and civil society has not been satisfactory and there have been some social impacts associated with the expropriation process. The Government is also currently considering a proposal to remove the excise duty for old cars. This would encourage the purchase of older, less fuel efficient and more polluting vehicles, thus worsening the environmental impact of the transport sector.

NGOs in Kosovo call on the Government to:

- Make public and transparent all matters and documents related to Kosovo's transport projects, including the Vermicë-Merdare highway; and
- Take into account the negative environmental impacts of the removal of excise duties on old cars.

MONTENEGRO

There are currently weak transport connections between Montenegro and rest of the region. There is also insufficient availability of experienced, trained and highly-skilled staff and insufficient investments in research and development activities. The road network in the country is undeveloped and there are problems in the railway sector related to the condition of infrastructure and out-dated vehicles, requirements for more efficient airport operation, and low capacity utilization of the sea port at Bar.

NGOs in Montenegro call on the Government to:

- Ensure implementation of the highest standards in the planning of transport infrastructure, respect procedures of EIA, SEA, and ensure the transparency of related processes; and
- Only plan sections of new transport infrastructure outside the most sensitive areas (important bird areas, potential Natura 2000 sites, marine protected areas, national parks etc.) and preserve ecological corridors.

SERBIA

Road projects dominate all funds thus leaving little or no support for railways and intermodal shift solutions (less than 0.5 per cent of funding for transport in Serbia is related to intermodal shift). There is a lack of transparency, consultation and accountability in the decision-making process relating to transport projects and the SEAs of all programs and policies are not fully developed, which leads to suspicions of corruption in the process. There are problems relating to the involvement of EU IFIs in the transport sector in Serbia in particular with regards to the lack of finance for sustainable transport, lack of public participation, lack of SEA, and corrupt feasibility studies. Due to the lack of transparency, accountability, and corruption associated with PPP schemes in transport projects, their

⁴under UNSCR 1244

introduction will lead to fiscal pressure, increase the level of debt and detract attention from intermodal solutions.

TURKEY

Some key problems relate to the overuse of road transport and increasing air transport. Public transport and environmentally friendly means of transport, especially in urban areas are not sufficiently encouraged. There is currently no legislation encouraging energy efficient or clean transport, e.g. no environmentally friendly or emissions reducing regulations are in place for new vehicles and green investments are not promoted. There is also a lack of available information, research and knowledge on the current status of environmental impacts of transportation. Transport investments are accompanied by poorly structured EIA and SEA procedures. Projects which were planned before 1993 and will start construction by 2015 such as roads, airports, highways, intercity railroads, ports and shipyards, are exempted from the EIA process.

NGOs in Turkey call on the Government to:

- Develop an intermodal transport system with a more balanced use of different modes of transport, including in particular a greater share of railways and maritime transport and a smaller share of road transport. This requires the improvement of infrastructure, integration with other means of transport and an increase in the quality of service provided by railway and water (sea) transport systems;
- Develop a “Transport Master Plan” for Turkey;
- Restructure urban transport along sustainable transport principles which require the mitigation of emissions from individual car transport by promoting other means (e.g. public transport, bicycles etc.) and develop legislation for sustainable urban transport planning;
- Promote alternative fuels and the use of clean transport through legal instruments (e.g. clean transport regulations for new vehicles);
- Increase energy efficiency in transport by reducing the need for intercity transport with information and communication systems, develop energy efficient urban planning and transport systems and promote energy efficient vehicles in air, road and sea transport;
- Develop knowledge base for environmental impacts and emissions of freight and passenger transport; and
- Amend EIA and SEA legislation so that major projects are not exempted from compulsory EIA.

5. EXAMPLES OF PROJECTS FROM THE CANDIDATE AND POTENTIAL CANDIDATE COUNTRIES

BOSNIA AND HERZEGOVINA

The development of the **highway on corridor Vc** poses a serious threat to one of the most valuable biodiversity sites in the country – the Prenj mountain area which is meant to be national park.

CROATIA

Based on the number of the inhabitants, Zagreb has more public garages in the city centre than a number of other European capital cities, however the Zagreb municipality was fostering the **construction of several new public garages**. As a result, the environmental organization **Zelena akcija – Friends of the Earth Croatia**, started a campaign against new public garages in the city center. After

several smaller activities, two protest actions at the end of 2006 attracted high media visibility. At the time, only a minority of citizens understood the reasons for opposing new garages in the city centre and many supported garages because they were not familiar with alternatives, such as Park&Ride schemes, car-sharing, public bicycles, and better organization of public transport. Thus was a clear sign for Zelenaakcija to start a major campaign of educating citizens on sustainable transport solutions. At the same time, a citizen-led initiative - **Right of the City**, started a campaign against the “Cvjetni” project as among others, the project would cause the destruction of two protected buildings, part of the project was to build a public garage, and the entrance to the garage would be in a pedestrian zone thus reducing the size of the pedestrian zone. The Zelenaakcija and Right to the City coalition organized many protest actions and panel discussions, published several publications on transport and urban planning, and became one of the most well-known citizen initiatives in Croatia. In 2007, a petition to **Stop the Devastation of Cvjetni** was launched and within a two month period 54,500 people had signed the petition, making it the largest ever local petition in Croatia. The campaign also resulted in the creation of Zelenaakcija’s Urban Advisory Council which gathered architects, sociologists, transport engineers, and economists for discussion and information sharing. In April 2011, almost four and a half years after the first protest action and after 200 people were arrested in peaceful protests; “Cvjetni” was opened to the public. However, it remained a symbol of suspicious business deals and un-transparent urban planning policy. One of the biggest achievements of the campaign is that the majority of citizens are now against new public garages in the centre of Zagreb, which is a significant change to the situation five years earlier. Furthermore, since the start of the campaign, no similar project with this level of damage has been started. In March 2010, the City Assembly adopted a decision to change the General Urban Plan to eliminate the possibility of constructing new garages in the centre of Zagreb. However this is currently not implemented as the City mayor has not yet proposed the changes of the Plan to the City Assembly.

FYROM

- The construction of a new **motorway between Demir Kapija–Smokvica** as part of the Pan-European Corridor X is expected to start in 2012. The Commission is providing 17 per cent of the total project costs and the Government of Macedonia is providing the rest mainly through large loans from the EIB and EBRD. The total cost of the project is EUR 260 million. The highway is planned to be a four lane road and would cross near the protected Demir Kapija gorge. The gorge is one of the richest ornithological reserves in Europe and is home to many endemic and rare animal and plant species. The motorway will be constructed in an untouched forest area and will affect the Pseudomacquis (kermes oak shrublands) habitat as 104.5ha of these plants will be eliminated. This biotope is very important for the country as it is distributed exclusively in the most southern part of the FYROM up to 600m a.s.l on south expositions. Additionally, 2.7ha of Greek juniper will be removed - Greek juniper is of high conservation importance in Europe (it is priority habitat type under the Habitats Directive). According to the EIA for the project, this habitat was scored as “high sensitivity” which means that such sites, biotopes or localities have great importance concerning natural or economic value and any kind of construction work should be avoided. If no other solution is possible, maximum measures for protection of the site or locality should be undertaken and the damage to these kinds of ecosystems should be revitalized and compensated in compliance with the Law on Nature Protection. A re-vegetation plan prepared for the project by the

experts in the Forestry Faculty of the Republic of Macedonia envisions replanting of species as compensation, however it does not contain detailed information on the area to be planted with Juniper species, and so the real compensation of this habitat is still ambiguous. There are 11 bio-corridors identified along the planned motorway route that enable various daily, periodical or seasonal movements and migrations of different animals or dispersal of plants. These bio-corridors are extremely important for many animals, including the brown bear (a priority species under the Habitats Directive), and any possible disturbance of the bio-corridors caused by the construction will inevitably affect the existence of these rare and protected species.

- The **Kosel – Ohrid – SvNaum road** is currently in the phase of project preparation and is envisaged to connect Macedonia with Albania. The road is to be constructed in the National Park Galicica and could lead to serious negative impacts on the environment in this protected area. Staff from the National Park Galicica have already expressed their opposition to this project.
- An EIA was prepared and two public hearings were held for the project to construct a **railway from Kichevo – Lin**. This railway connection is part of the Corridor VIII and would connect Macedonia with Albania. The EIA procedure for the railway connection between Macedonia and Bulgaria is still at a very early stage.

KOSOVO(under UNSCR 1244)

A positive example is the application of a new law for the import of derivatives which will not allow the import of poor quality fuel.

MONTENEGRO

The Government of Montenegro is currently in planning process of building a **highway from Bar – Boljare** which would connect Montenegro with Serbia. The tendering procedure for investors has failed for a second time due to the fact that the SEA was only completed for 1/3 of the highway and it is still not clear where exactly the highway would be placed. The SEA process was not conducted in a transparent way and several parts of the road will pass through sensitive areas (national parks, important bird areas etc.). However the Government is not currently considering revising the project and completing the SEA but is keen to implement the plan and will reopen the tender procedure shortly.

SERBIA

- **Belgrade Bypass** – concerns relate to social, environmental and economic issues;
- **Corridor XI** – concerns relating to feasibility, environmental and social issues. The PPP scheme is also likely to lead to corruption;
- **Corridor X Nis-Bulgarian Border** – concerns relate to corruption, social issues including opposition to resettlement, environmental issues, opposition of local communities of proposed routing; and
- **Tunnel thorough “Fruskagora” national park** in Vojvodina Province – concerns relate to environmental damages and non-transparency.
- **Bridge on River Sava in Belgrade** partly financed by the EBRD- The project has been classified as A/O and requires a full EIA. Two public Scoping Meetings were held to identify relevant

issues to be addressed in the EIA. As a result, it was decided to move the bridge alignment from the centre to the tip of Ada Ciganlija Island⁵. The second Scoping Meeting was held in June 2005 and was attended by over 100 representatives, including NGOs. The results of both Scoping Meetings confirmed strong support for the project, but some localised concerns were raised including the **protection of the site where one part of the Pygmy Cormorant *Phalacrocorax pygmeus*⁶ population spend their nights**. All the issues raised at the meetings are to be taken into account in the preparation of the final detailed design of the project. In June 2010, a meeting among different stakeholders was held regarding the protection of the Pygmy Cormorant – interest in the issue had been instigated during the design of the Ada Ciganlija bridge. This process resulted in an agreement on the protection of Pygmy Cormorant roosts through the adoption of the Decision on the preceding conservation of “Pygmy Cormorant (*Phalacrocorax pygmaeus*) habitat at Sava river in Belgrade” (Official Gazette of RS - "Službeni glasnik RS", No. 112/08). This Decision determines the regime of protection of all roosts of Pygmy Cormorants in winter during the last 15 years (1996-2008) by prohibiting any displacement or killing of birds, as well as disturbance and destruction of vegetation at the willow stands near the Belgrade Fair, at the lower promontory of Ada Ciganlija and at Mala Ciganlija. The NGO - League for ornithological action - is monitoring the species and provides advice to project developers on how to minimize any negative effects on the population. As a result of the Decision, for all planned activities, project developers have to seek the opinion and approval from the Institute of Nature Conservation. Currently, cooperation on this is progressing well and all recommendations of NGOs and the Institute of Nature Conservation are taken into account by projects that are being developed.

TURKEY

A prominent example is the planned construction of the **third bridge over the Istanbul Bosphorus** although it contradicts the current regional plan⁷. The construction of the bridge together with its connection roads will damage the forest ecosystem and current wildlife habitats in the area, leading to the loss of forest areas and the extinction of endemic plants. Carbon emissions will increase dramatically, not only because of an increase in road transport but also with the loss of green cover in the area. In addition, due to the poorly structured EIA legislation in Turkey, the construction of the third bridge does not require an EIA as it was planned before 1993. Thus, as long as construction starts before 2015, no EIA will be required for the project (this is also the case for the 377km Gebze-Izmir six-lane highway project and 3km bridge over the Izmit Gulf). In October 2009, four leading

⁵This is reported a number of times as a good example of EBRD and civil society dialogue.

⁶Pygmy Cormorant *Phalacrocorax pygmeus* is the smallest European species of cormorants. The SPEC list of species dependant on conservation at the European level (Species of European Conservation Concern) includes Pygmy Cormorant in the first group – globally threatened species with the inappropriate conservation status in Europe. During the last 15 years there was a continuous increase in the number of Pygmy Cormorants at Sava River in Belgrade until the wintering grounds hosted almost 7000 birds. This is 10% of the European population of the species.

⁷The regional plan provides projections on land use activities, infrastructure, and settlement to 2023. The plan was developed in 2009 and states that no construction should take place on the northern side of the area – this is the exact area where the third bridge will be constructed. An amendment to the plan was made in 2010 which states that “some” routes will be further considered in smaller scale plans. Simultaneously, the Istanbul Greater Municipality made a more detailed plan that shows the third bridge connection routes in the same area. Today, authorities base their construction argument on this approach, however, the third bridge and its connection roads still contradict the overall regional plan which does not allow for such a large scale construction project on the northern part.

environmental NGOs in Turkey (TEMA, TÜRÇEK, Nature Association and WWF Turkey) made a joint declaration outlining the harmful environmental impacts on water sources, forests and natural habitats of the bridge. In June 2010 TEMA, TÜRÇEK, Nature Association and Atlas Magazine released a position paper explaining how the construction contradicts the area's regional plan, forestation plans and water resources. TEMA Foundation and several professional unions have also filed law cases against the planned construction of the third bridge.



ANNEX I: TRANSPORT IN THE EU

1. Background

The transport sector continues to be a **source of significant environmental pressure in the EU**. Emissions from transport are a major source of the EU's GHG emissions and exacerbate problems with poor air quality and noise, while the construction and existence of transport infrastructure has implications for biodiversity, fragmentation of landscapes and ecosystems, and the use of raw materials. Between 1990 and 2008, the net increase in CO₂ emissions from road transport was 185 million tonnes. This is despite improvements in the energy efficiency of new vehicles and therefore reflects **increases in volumes of transport**. Road freight volumes (measured in tonne km) have also increased by 79 per cent between 1990 and 2007⁸. Car travel remains the dominant mode of passenger transport, while intra-EU air passenger travel is the fastest growing area. The demand for rail from 1997 to 2007 remained fairly steady, or increased, in all EU-15 Member States with the exception of Portugal. However, over the same period, rail transport declined considerably in most countries in the EU-12. Despite some reductions in emissions of air pollutants, road transport continues to be a significant contributor to NO_x emissions, particulate matter (PM₁₀, PM_{2.5}), carbon monoxide (CO) and non-methane volatile organic compounds (NMVOC) emissions. A large number of people are also exposed to transport noise levels that affect their quality of life and health⁹.

In twenty EEA member countries¹⁰, **annual investment in transport infrastructure** has steadily increased in absolute terms from around €67 billion in 1995 to more than €120 billion in 2008 (see Figure 1). **Road infrastructure continues to receive the majority of investment**, and although other modes of transport (rail, sea and air) have increased their share of investment overall in the last decade, the last five years have seen a return to increasing proportions of investment in road infrastructure¹¹. Within the EU, there is a marked difference in investment trends between the EU-12 and EU-15 which probably reflects efforts to compensate previous underinvestment in transport infrastructure, increased demand for transport in growing economies, accession to the EU and associated financial support which can facilitate such investments¹².

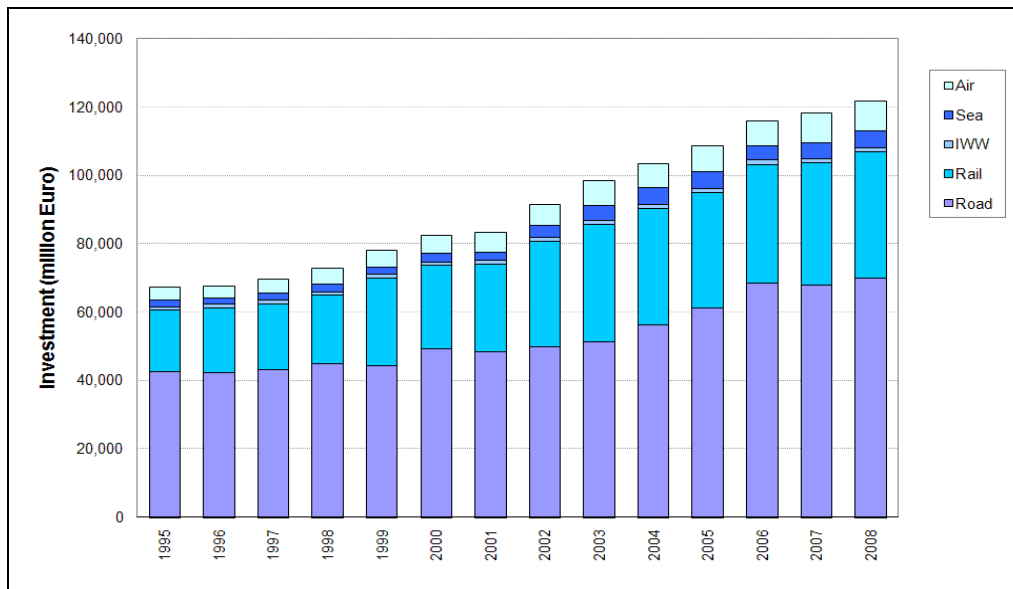
⁸ EEA (2010) Mitigating climate change - SOER 2010 thematic assessment, <http://www.eea.europa.eu/soer/europe/mitigating-climate-change>

⁹ EEA (2010) Towards a resource-efficient transport system, TERM 2009: indicators tracking transport and environment in the European Union, EEA Report No 2/ 2010, <http://www.eea.europa.eu/publications/towards-a-resource-efficient-transport-system>

¹⁰ Austria, Belgium, Czech Republic, Denmark, Estonia, Finland, France, Germany, Hungary, Italy, Liechtenstein, Lithuania, Luxembourg, Norway, Poland, Portugal, Slovakia, Spain, Switzerland and the UK

¹¹ EEA (2011) Transport infrastructure investments (TERM 019) - Assessment published Jan 2011, <http://www.eea.europa.eu/data-and-maps/indicators/infrastructure-investments/assessment>

¹² EEA (2011) Transport infrastructure investments (TERM 019) - Assessment published Jan 2011, <http://www.eea.europa.eu/data-and-maps/indicators/infrastructure-investments/assessment>

Figure 1: Investment in transport infrastructure in twenty EEA member countries


Source: EEA (2011) Transport infrastructure investments (TERM 019) - Assessment published Jan 2011

For the 2007–2013 period, more than €80 billion is allocated to transport under the **EU's Structural and Cohesion Funds**. The majority of this budget, almost €41 billion will be available for road infrastructure¹³ and €1.9 billion for air transport projects. More climate-friendly modes (e.g. rail (€23.6 billion), intermodal and intelligent systems (€3.3 billion)) receive substantially less attention¹⁴. In most **new Member States, road projects are prioritized while many older Member States tend to have a higher priority for sustainable transport projects**¹⁵.

Much of this allocation is in line with the EU's plans for the development of large-scale transport infrastructure as part of the **Trans-European Transport Network (TEN-T)**. Improving the accessibility of more peripheral or less developed regions through the construction of roads is also seen as a **major driver for economic development**. However, investments in carbon intensive projects such as roads could have an **adverse impact on GHG emissions, land use and habitat fragmentation, lead to traffic congestion, air pollution, noise, and adverse impacts on health and safety**¹⁶. They also threaten to **lock regions into carbon-intensive infrastructures** and place them on an unsustainable development path in the long-term^{17,18}.

¹³ DG Regional Policy (2011) Transport statistics, http://ec.europa.eu/regional_policy/themes/transport/index_en.htm

¹⁴ DG Regional Policy (2008) Statistics - http://ec.europa.eu/regional_policy/themes/transport/index_en.htm

¹⁵ EEA, (2009), Ensuring quality of life in Europe's cities and towns - Tackling the environmental challenges driven by European and global change, EEA Report No 5/2009

¹⁶ EEA, (2009), Ensuring quality of life in Europe's cities and towns - Tackling the environmental challenges driven by European and global change, EEA Report No 5/2009

¹⁷ FOEE and CEE Bankwatch Network (2007) EU Cash in Climate Clash: How the EU funding plans are shaping up to fuel climate change. Friends of the Earth Europe and CEE Bankwatch Network.

¹⁸ Green Alliance (2007) Investing in Our Future: a European Budget for Climate Security. Green Alliance. London.

2. EU transport policy and the challenges ahead

Over the years, the EU has adopted a **number of measures which seek to promote sustainable mobility and integrate environmental considerations in transport policies**. With the increased prominence of climate change policy in the EU and the need to address GHG emissions across all sectors, emissions from the transport sector have become an increasingly important element of the EU's climate change and energy policy. Measures that have been adopted in this area include 'Euro' emission standards for certain cars, vans, lorries and buses; measures encouraging public procurement of energy efficient and low polluting vehicles; measures to promote the use of sustainable biofuels in transport; the adoption of binding legislation to reduce lifecycle GHG emissions from transport fuels, reduce the average CO₂ emissions from new cars and include aviation in the EU ETS, and the adoption of the 10 per cent renewable energy target for the transport sector to be met by each Member State by 2020.

These attempts to integrate environmental issues in transport initiatives have had **mixed results in practice**. The key achievement has been the **reduction of emissions from individual vehicles through the progressive tightening of emission standards and fuel quality standards**. However, improvements in vehicle efficiency have **not yet produced corresponding reductions in total CO₂ emissions** as a result of the continuing growth in traffic and congestion. The growth in road transport has been stimulated *inter alia* by rising incomes which has led to more widespread car ownership and an increase in the number and lengths of journeys by car; the absence of full internalization of external costs; the increasing length of road networks, and a general inability of other modes of transport to provide users with a competitive level of services to that available by road¹⁹.

The transport sector poses **major challenges for future EU policy** not only as a significant and growing source of GHG emissions but also as the principal consumer of oil-based fuels on which it is almost wholly dependent²⁰. Addressing these trends will be a major challenge for the EU as it aims to meet its emission reduction targets and create a low-carbon and resource efficient future. Adapting the existing transport infrastructure to changing climate conditions, while ensuring its continued and safe functioning, will also require substantial additional investments²¹.

A European Commission-sponsored project²² investigating scenarios to **reduce emissions from transport** suggested that the sector must cut its emissions by 50-80 per cent by 2050 (compared with 1990 levels) to enable the EU to reduce its total emissions by 80 per cent. Efforts to **decarbonise energy supply in the transport sector** are also vital for achieving large-scale emission reductions. A report initiated by the European Commission on 'Future Transport Fuels' calls for a portfolio of

¹⁹ IEEP (2011) Manual of European Environmental Policy. Earthscan: London. <http://www.europeanenvironmentalpolicy.eu/>

²⁰ Transport within the EU is heavily dependent on imported oil and oil products which account for more than 96 per cent of the sector's energy needs - European Commission (2011) Roadmap to a Single European Transport Area, Facts and Figures, http://ec.europa.eu/transport/strategies/facts-and-figures/putting-sustainability-at-the-heart-of-transport/index_en.htm

²¹ Commission of the European Communities, (2007), Green Paper from the Commission to the Council, the European Parliament, the European Economic and Social Committee and the Committee of the Regions Adapting to climate change in Europe – options for EU action, (COM(2007)354), 29/06/2007

²² EU Transport GHG, <http://www.eustransportghg2050.eu/cms/about-the-project/>

different fuels to be promoted in the EU in a harmonised way to reduce the transport sector's dependency on fossil fuels. The **linkages between the transport and energy sectors** should also be noted. Electricity used in road or rail transport will only be a sustainable energy source once the wider energy system supplies sufficient carbon-free electricity, thus the decarbonisation of transport and of energy supply are complementary²³. **EU spending also needs to be shifted from the construction of new roads and airports to the creation of new low-carbon infrastructure** (such as high-speed rail, new bus and rapid urban transit systems in cities), **innovations that reduce the carbon intensity of existing infrastructure** (such as road pricing and other demand management systems), and solutions that **reduce the need to travel** (such as the roll-out of broadband and other technological solutions)²⁴.

3. Key recent developments

On 8 March 2011, the European Commission published the **'Roadmap for moving to a competitive low carbon economy in 2050'**²⁵. The roadmap sets out milestones to achieve an 80 per cent reduction in domestic EU GHG emissions by 2050 and identifies the percentage reductions that would have to be achieved by 2030 and 2050 over 1990 levels by key sectors. In relation to transport, the roadmap notes that savings from this sector could be 54-67 per cent (including CO₂ from aviation, but excluding maritime emissions). The roadmap also notes that until 2025, the main driver for reversing the trend of increasing GHG from transport is likely to remain improved fuel efficiency. The Commission goes on to say that in **combination with additional measures** such as pricing schemes, infrastructure charging, intelligent city planning and improving public transport, emissions from road, rail and inland waterways could be brought to below 1990 levels in 2030.

On 28 March 2011, the Commission presented the **'Roadmap to a Single European Transport Area – Towards a competitive and resource efficient transport system'**²⁶. The roadmap outlines a number of initiatives as part of an overall strategy to 'increase mobility, remove major barriers in key areas and fuel growth and employment' while simultaneously reducing GHG emissions by 60 per cent by 2050. The roadmap sets ten goals for a competitive and resource efficient transport system which include *inter alia*:

- Halving the use of 'conventionally-fuelled' cars in **urban transport** by 2030; phasing them out in cities by 2050; achieve essentially CO₂-free city logistics in major urban centers by 2030;
- For 30 per cent of **road freight** over 300 km to be shifted to other modes such as rail or waterborne transport by 2030, and more than 50 per cent by 2050;
- By 2050, to complete a **European high-speed rail network** and triple the length of the existing high-speed rail network by 2030;

²³ European Expert Group on Future Transport Fuels (2011). Future Transport Fuels. http://ec.europa.eu/transport/urban/vehicles/directive/doc/2011_01_25_future_transport_fuels_report.pdf

²⁴ Green Alliance (2007) Investing in Our Future: a European Budget for Climate Security. Green Alliance. London.

²⁵ Commission of the European Communities, (2011), A Roadmap for moving to a competitive low carbon economy 2050 (COM (2011)112), Brussels, 8/3/2011. http://ec.europa.eu/clima/documentation/roadmap/docs/com_2011_112_en.pdf

²⁶ Commission of the European Communities, White Paper - Roadmap to a Single European Transport Area – Towards a competitive and resource efficient transport system, <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2011:0144:FIN:EN:PDF>, (COM(2011)144)

- By 2020 to establish the framework for a **European multimodal transport information, management and payment system**; and
- Move towards full application of **“user pays” and “polluter pays” principles** and private sector engagement to eliminate distortions, including harmful subsidies, generate revenues and ensure financing for future transport investments.

Achieving these goals require *inter alia*: early deployment of **new technologies** (e.g. on vehicle efficiency and cleaner energy use through new fuels and propulsion systems); promotion of more **sustainable behaviour** (e.g. through better information on all modes of transport, pricing schemes and efficient public transport services); development of **adequate infrastructure** (e.g. ensuring EU-funded transport infrastructure takes energy efficiency needs and climate change into account, climate resilience of infrastructure, refuelling/recharging stations for clean vehicles); and **restructuring transport charges and taxes** to ‘get the prices right’, avoid distortions, and internalise externalities such as noise, air pollution and congestion. Annex I of the roadmap sets out the initiatives to be undertaken by the European Commission in the coming years. These initiatives seek to establish an efficient framework for transport users and operators, promote the early deployment of new technologies and the development of adequate infrastructure to increase the competitiveness of transport while delivering the minimum 60 per cent reduction of GHG emissions from transport by 2050.