

EN

EN

EN



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 22.7.2009
C(2009) 5706 final

COMMISSION DECISION

of 22.7.2009

**amending Decision C (2005) 2754 with regard to the terms of office of the European
Coordinators for certain trans-European transport network projects**

COMMISSION DECISION

of 22.7.2009

amending Decision C (2005) 2754 with regard to the terms of office of the European Coordinators for certain trans-European transport network projects

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Decision No 1692/96/EC of the European Parliament and of the Council of 23 July 1996 on Community guidelines for the development of the trans-European transport network¹, and in particular Article 17a(1) thereof,

Having regard to the opinion of the European Parliament,

Whereas :

- (1) Decision No 1692/96/EC, as amended by Decision No 884/2004/EC, identifies projects of common interest designed to contribute to the development of this network and declares 30 priority projects, defined in Annex III, to be of European interest, including the projects to which both the Essen European Council in 1994 and the Dublin European Council in 1996 attached special importance.
- (2) Under Article 17a of Decision No 1692/96/EC, the Commission may designate European Coordinators to facilitate the coordinated implementation of certain projects, in particular cross-border projects or parts of projects included among the projects declared to be of European interest.
- (3) The coordination mechanism introduced by means of Decision C (2005) 2754, which makes it possible to closely monitor the progress made on projects and to have a better overview of the work and which also aims to make it easier to complete the projects within the time-scale laid down by Decision No 1692/96/EC for the sections of the priority projects, has proved to be successful.
- (4) In view of the satisfaction expressed by the Member States, the European Parliament, the Committee of the Regions and the other parties benefiting from this mechanism through a European Coordinator, the Coordinators' terms of office should be extended.
- (5) Furthermore, a new Coordinator should be designated for the priority projects No 3 and No 19. The replacement of the Coordinators in charge of priority projects No 1 and No 17 will be decided at a later date. Moreover, the starting and finishing dates for the terms of office of all eight Coordinators should be aligned.

¹ OJ L 228, 9.9.1996, p. 1.

(6) The Member States concerned have given their agreement.

HAS DECIDED AS FOLLOWS:

Article 1

The Annexes to Decision C (2005) 2754, as last amended by Decision C (2007) 4396, are replaced by the text of the Annex to this Decision.

Article 2

All the terms of office listed in the Annex shall be for a renewable period of four years starting on the date of adoption of this Decision.

Done at Brussels, 22.7.2009

For the Commission
Antonio TAJANI
Member of the Commission

ANNEX I

Term of office 2009-2013
<p style="text-align: center;">...</p> <p><i>PP1: Berlin-Verona/Milan-Bologna-Napoli-Messina-Palermo rail link</i></p>
<p style="text-align: center;"><u>Carlo Secchi</u></p> <p><i>PP3: South-west European high-speed rail link</i></p> <p><i>PP19: High-speed rail interoperability on the Iberian peninsula</i></p>
<p style="text-align: center;"><u>Laurens Jan Brinkhorst</u></p> <p><i>PP6: Lyon-Trieste-Divača/Koper-Divača-Ljubljana-Budapest-Ukrainian border rail link</i></p>
<p style="text-align: center;">...</p> <p><i>PP17: Paris-Strasbourg-Stuttgart-Wien-Bratislava rail link</i></p>
<p style="text-align: center;"><u>Karla Peijs</u></p> <p><i>PP18: Rhine/Meuse-Main-Danube</i></p> <p><i>PP30: Seine-Scheldt</i></p>
<p style="text-align: center;"><u>Luis Valente de Oliveira</u></p> <p><i>PP21: Motorways of the Sea (MoS)</i></p>
<p style="text-align: center;"><u>Pavel Telička</u></p> <p><i>PP27: Rail Baltica</i></p>
<p style="text-align: center;"><u>Karel Vinck</u></p> <p><i>The European Rail Traffic Management System (ERTMS)</i></p>

ANNEX II

Mission Statement

Model mission letters for

**Mr/Ms ... (priority project 1), Mr Carlo Secchi (priority projects 3 and 19) , Mr Laurens Jan Brinkhorst (priority project 6), Mr Karel Vinck (ERTMS), Mr/Ms ... (priority project 17), Mr Pavel Telicka (priority project 27) , Ms Karla Peijs (priority projects 18 and 30) and Mr Luis Valente de Oliveira (priority project 21) respectively, as European Coordinators
for the projects listed in Annex III to Decision No 1692/96/EC.**

[*place*], [*date*]

[*name of European Coordinator*]

[*duties*]

[*full address*]

[*...registration number of the letter...*]

Subject: [Mission as European Coordinator for *priority link No ...*]]

Mr/Ms [*name of the European Coordinator*],

On the basis of Commission Decision No [...], the European Union has designated you as European Coordinator for the priority project/s defined in Annex I to this Decision pursuant to Article 17a of Decision No 1692/96/EC of the European Parliament and of the Council of 27 July 1996 on Community guidelines for the development of the trans-European transport network², as amended by Decision No 884/2004/EC.

This project is (These projects are) among the 30 priority projects of European interest referred to in Article 19a of that Decision. In this respect, it is (they are) of particular importance in order to give fresh impetus to the Lisbon Strategy and to contribute to employment and growth.

Work during the project(s) is affected by a number of difficulties relating to coordination between the Member States crossed by the project concerned, both as regards synchronisation of the work and reaching a firm agreement on detailed timetables and the allocation of funding.

Your task will therefore be very important to help the Commission in the context of the programming of funding and political dialogue with the Member States to enable the latter to overcome these difficulties.

Your task as a European Coordinator will be for a four-year period and will be renewable by mutual agreement.

Your duties, which stem from those defined by the European Parliament and the Council, will chiefly include:

² OJ L 228, 9.9.1996, p. 1.

- the promotion of joint project evaluation methods approved in advance by the Commission and the provision, where necessary, of technical expertise to the project promoters regarding the financial package for the projects;
- the drawing-up of an annual report for the Commission, for transmission to the European Parliament and the Member States concerned, on the progress made in implementing the project, new regulatory or other developments which may affect the characteristics of the projects, and any difficulties or obstacles likely to cause serious delay affecting the completion dates agreed by the European Parliament and the Council. This report may also be used by the Commission to authorise the extension of aid programmes;
- consultation, together with the Member States concerned, of regional and local authorities, operators and users of means of transport, as well as representatives of civil society in order to better define transport demand, the possibilities of investment funding and the type of services to be provided to facilitate access to such funding;
- if requested by the Commission, the preparation of an opinion during the examination of requests for Community funding concerning projects or groups of projects covered by your task.

More particularly, the Commission requests you to monitor

- financial decisions and report any problems with implementing them;
- compliance with environmental legislation and consideration of regional aspects; and
- compliance with the global 'corridor' approach.

During the performance of your task you may not make commitments on behalf of the Commission without its prior written agreement. Accordingly, you must act impartially, in an independent and confidential manner, and apply to the best of your abilities your professional knowledge and skills solely in the interests of the Community.

You must avoid any situation giving rise to a conflict of interest regarding the areas in which you are requested to intervene. You must inform me of any conflict of interest arising during your term of office immediately.

Furthermore, you must not use or divulge any document or information which comes to your knowledge in the course of your duties, unless such information is already in the public domain. All the results produced by you shall be the property of the European Community, which may use them or publish them as it sees fit.

During the performance of your task, which is unpaid, you will be granted a monthly flat-rate allowance of €1500 to cover ongoing expenses and your mission expenses will also be reimbursed in accordance with current Commission rules. In addition, you will be given technical and administrative support by the Commission.

The Director for the trans-European Networks is your contact person in the Directorate-General for Transport. The Commission can assure you in advance that, in the implementation of your task, you will have the full support of the Director and the member of staff designated to assist you on a day-to-day basis on technical and administrative matters.

The Commission is convinced that your support, on which it is counting enormously, will be crucial for the success of the trans-European networks.

The Directorate-General for Transport and Energy will organise regular meetings between the European Coordinators to allow information and experience to be shared.

The Belgian courts shall have exclusive jurisdiction in respect of any dispute concerning the validity, application or interpretation of this contract. This contract is governed by Belgian law.

[place], [date]
[name of European Coordinator]
[duties]
[full address]
[...registration number of the letter...]

Subject: Mission statement for Mr Karel Vinck as European coordinator for the ERTMS project and the railway corridors

Dear Mr Vinck,

On the basis of Commission Decision No [...], the European Union has designated you as European coordinator for the project to deploy the ERTMS railway traffic management system in the railway corridors. Designation is made pursuant to Article 17a of Decision No 1692/96/EC of the European Parliament and of the Council of 27 July 1996 on Community guidelines for the development of the trans-European transport network³, as amended by Decision No 884/2004/EC.

The project to deploy the ERTMS railway traffic management system in the railway corridors is particularly important in order to give fresh impetus to the Lisbon employment and growth strategy given the importance of the project for ensuring interoperability in the key railway corridors to allow for high-speed passenger and goods services and the massive industrial scale of the project.

The project is affected by difficulties relating to coordination between the Member States. These difficulties are delaying the development of a coherent strategy for deploying the system at European level. The strategy must implement the regulatory obligations regarding ERTMS arising from the high-speed interoperability directives while placing deployment in the wider context of developing the infrastructure of the major European rail corridors.

This two-fold objective, which is clearly set out in a Memorandum of Understanding between the Commission and the associations which represent the rail industry, is designed to promote new, more competitive high-quality railway services for both passengers and freight.

Your task will therefore be very important to help the Commission in the context of the programming of funding and political dialogue with the Member States to enable the latter to overcome these difficulties.

Your task as a European Coordinator will be for a four-year period and will be renewable by mutual agreement.

Your duties, which stem from those defined by the European Parliament and the Council, will chiefly include:

- guiding the development of appropriate methodological approaches to establish the requirements for the implementation of ERTMS in all the rail corridors described in Annex H to the Technical Specification on Interoperability (TSI) for conventional rail. These reference methods will take account of the wider perspective as regards the supplementary requirements for the development of these corridors to guarantee their long-term commercial competitiveness;

³ OJ L 201, 7.6.2004.

- supervising the necessary studies being carried out corridor by corridor and integration of these studies into a coherent European Union plan for the deployment of ERTMS. This must take account of the specific requirements identified in the Memorandum of Understanding and the requirements of the Member States in their national plans for the deployment of ERTMS;
- contributing to the development of a coherent strategy for the implementation of this European plan, in particular by identifying the financial packages possible and any risks which might affect implementation;
- developing a set of supplementary development measures deemed to be necessary in all of these corridors to guarantee their long-term commercial performance objectives;
- chairing the high-level steering group provided for in the Memorandum of Understanding;
- the drawing-up of an annual report for the Commission, for transmission to the European Parliament and the Member States concerned, on the progress made in implementing the project, new regulatory or any other developments which may affect the characteristics of the projects, and any difficulties or obstacles likely to cause serious delay;
- regular consultation of all the Member States and players concerned in order to identify all factors relating to the development of the ERTMS rail corridors, the possibilities for funding the investments deemed to be necessary and the means of gaining access to such funding.

During the performance of your task you may not make commitments on behalf of the Commission without its prior written agreement. Accordingly, you must act impartially, in an independent and confidential manner, and apply to the best of your abilities your professional knowledge and skills solely in the interests of the Community.

You must avoid any situation giving rise to a conflict of interest regarding the areas in which you are requested to intervene. You must inform me of any conflict of interest arising during your term of office immediately.

Furthermore, you must not use or divulge any document or information which comes to your knowledge in the course of your duties, unless such information is already in the public domain. All the results produced by you shall be the property of the European Community, which may use them or publish them as it sees fit.

During the performance of your task, which is unpaid, you will be granted a monthly flat-rate allowance of €1500 to cover ongoing expenses and your mission expenses will also be reimbursed in accordance with current Commission rules. In addition, you will be given technical and administrative support by the Commission.

The Director for the trans-European networks is your contact person in the Directorate-General for Transport. The Commission can assure you in advance that, in the implementation of your task, you will have the full support of the Director and the member of staff designated to assist you on a day-to-day basis on technical and administrative matters.

The Commission is convinced that your support, on which it is counting enormously, will be crucial for the success of the trans-European networks.

The Directorate-General for Transport and Energy will organise regular meetings between the European Coordinators to allow information and experience to be shared.

The Belgian courts shall have exclusive jurisdiction in respect of any dispute concerning the validity, application or interpretation of this contract. This contract is governed by Belgian law.