



Brussels, 14.2.2022
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COMMISSION DECISION

of 14.2.2022

on the adoption for 2022 of actions financed under the prerogatives of the Commission and its specific powers in the field of transport: Support activities to the European transport policy, transport security and passenger rights including communication activities

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THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union

Having regard to Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council of 18 July 2018 on the financial rules applicable to the general budget of the Union, amending Regulations (EU) No 1296/2013, (EU) No 1301/2013, (EU) No 1303/2013, (EU) No 1304/2013, (EU) No 1309/2013, (EU) No 1316/2013, (EU) No 223/2014, (EU) No 283/2014, and Decision No 541/2014/EU and repealing Regulation (EU, Euratom) No 966/2012¹, and in particular Article 58(2)(d) and Article 110 thereof,

Whereas:

- (1) In order to ensure the implementation of the actions financed under the prerogatives of the Commission and its specific powers in the field of transport ('the work programme'), as set out in the Annex, it is necessary to adopt an annual financing decision for 2022. Article 110 of Regulation (EU, Euratom) 2018/1046 ('the Financial Regulation or FR') establishes detailed rules on financing decisions.
- (2) It is appropriate to authorise the award of grants without a call for proposals and to provide for the conditions for awarding those grants.
- (3) It is necessary to allow for the payment of interest due for late payment on the basis of Article 116(5) FR.
- (4) In order to allow for flexibility in the implementation of the work programme, it is appropriate to allow changes which should not be considered substantial for the purposes of Article 110(5) FR.

HAS DECIDED AS FOLLOWS:

Article 1

The work programme

The annual financing decision, constituting the annual work programme for the implementation of the *Support activities to the European transport policy, transport security and passenger rights including communication activities* for 2022, as set out in the Annex, is adopted.

¹ OJ L 193, 30.7.2018, p.1.

Article 2
Union contribution

The maximum Union contribution for the implementation of the work programme for 2022 is set at EUR 14 150 000, and shall be financed from the appropriations entered in the following item and heading of the general budget of the Union:

02 20 04 01 - *Support activities to the European transport policy, transport security and passenger rights including communication activities*

The appropriations provided for in the first paragraph may also cover interest due for late payment.

Article 3
Flexibility clause

Cumulated changes to the allocations to specific actions not exceeding 20% of the maximum contribution set in the first paragraph of Article 2 of this Decision shall not be considered to be substantial for the purpose of Article 110(5) of the Financial Regulation, where those changes do not significantly affect the nature of the actions and the objective of the work programme. The increase of the maximum contribution set in the first paragraph of Article 2 of this Decision shall not exceed 20%.

The authorising officer responsible may apply the changes referred to in the first paragraph. Those changes shall be applied in accordance with the principles of sound financial management and proportionality.

Article 4
Grants

Grants may be awarded without a call for proposals in accordance with the conditions set out in the Annex. Grants may be awarded to the bodies selected in accordance with point 2 of the Annex.

Done at Brussels, 14.2.2022

For the Commission
Adina-Ioana VĂLEAN
Member of the Commission

EN

ANNEX

to the

COMMISSION DECISION

on the adoption for 2022 of actions financed under the prerogatives of the Commission and its specific powers in the field of transport: Support activities to the European transport policy, transport security and passenger rights including communication activities

1. Introduction

On the basis of the objectives given in the budget remarks¹, this work programme contains the actions to be financed and the budget breakdown for year 2022 as follows:

- **Grants**
- **Procurement**
- **Other actions or expenditure**

Legal basis

Articles 58(2)(d) of the Financial Regulation (FR)
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Budget line(s)

02 20 04 01 - Support activities to the European transport policy, transport security and passenger rights including communication activities - EUR 14 150 000.

Objectives pursued

This appropriation is intended to cover expenditure incurred by the Commission for collecting and processing information of all kinds needed for the analysis, definition, promotion, monitoring, evaluation and implementation of the rules and measures required to improve the security of inland, air and sea transport, including extension to third countries, technical assistance and specific training.

The main objectives are to develop and apply security rules in the field of transport and in particular: — measures to prevent malicious acts in the transport sector, — approximation of legislation, technical standards and administrative monitoring practices relating to transport security, — definition of common indicators, methods and security objectives for the transport sector and collection of the data necessary for such definition, — monitoring of measures taken on transport security by the Member States, in all modes, — international coordination on transport security, — promoting research into transport security.
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Support activities include studies, consultancy, evaluations and impact assessments, development and maintenance of IT tools and databases, meetings of experts, information and

¹ [Budget On-line \(europa.eu\)](https://budget-on-line.europa.eu)

communication including communication campaigns, conferences and events.

This appropriation also covers expenditure on the establishment and operation of a corps of inspectors to check compliance with the requirements of Union security legislation of airports, ports and port facilities in the Member States, including extension to third countries, and of ships flying the flag of a Member State. This expenditure includes the subsistence allowances and travel expenses of the Commission inspectors and the expenses of inspectors from the Member States, borne in accordance with the provisions laid down in that legislation. The costs of training inspectors, of preparatory meetings and of the supplies needed for inspections must, in particular, be added to that expenditure.

Expected results

In the context of the Commission's prerogatives at institutional level, as provided for in Article 58(2)(d) of Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council of 18 July 2018 on the financial rules applicable to the general budget of the Union, this appropriation is intended to finance the activities necessary for the analysis, definition, promotion, monitoring, evaluation and implementation of the Union's transport policy, for all transport modes (road, rail, air, sea and inland waterways). The main actions are intended to support the Union's transport policy, including extension to third countries.

This appropriation covers all transport sectors such as transport safety, internal market of transport, optimisation of transport network, multimodality, logistics, passengers' rights and protection, the use of alternative fuels, clean vehicles procurement and urban mobility, social and gender aspects as well as safety and protection of transport users.

2. Grants

The global budgetary envelope reserved in 2022 for *Grants* is EUR 925 000.

2.1 Road Safety – Grant to Member States for translating international agreements on transport of dangerous goods into their official languages

Type of applicants targeted by the direct award

Grant awarded without a call to bodies identified by a basic act, art. 195(d) FR

Description of the activities to be funded by the grant awarded without a call of proposals

Directive 2008/68/EC of the European Parliament and the Council of 24 September 2008 on the inland transport of dangerous goods contains a legal obligation for the Commission to "provide financial support, as appropriate, to the Member States for the translation of the ADR, RID and ADN and their modifications into their official language" (article 8(2)).

Support is provided under the form of one grant to a coordinator to support Member States for translating International Agreements on inland transport of dangerous goods, and the modifications of their annexes, into their official languages when no official language version is available. International agreements on the inland transport of dangerous goods cover 3 modes: roads, inland waterways and rail. Agreements for ADR (road) and ADN (inland waterways) are available in English and French, while RID (rail) is also available in German. Each agreement contains some 1200 pages and is regularly updated. The translation of the main set of the agreements has been done for almost all the Member States and no more requests are expected (however cannot be excluded), but adaptations of the annexes are foreseen in 2022. This is an ongoing activity since 2008. Estimated amount EUR 100 000.

Implementation

Directorate-General for Mobility and Transport in agreement with other directorates-general where appropriate.

2.2 Grant to the International Civil Aviation Organization (ICAO) under the auspices of the EU-ICAO Memorandum of Cooperation

Type of applicants targeted by the direct award

Grant awarded without a call to bodies with a de jure or de facto monopoly, art. 195(c) FR

Description of the activities to be funded by the grant awarded without a call of proposals

Council Decision 2012/243/EU of 8 March 2012 on the conclusion of a Memorandum of Cooperation (MoC) between the European Union and the International Civil Aviation Organization (ICAO) provides a framework for strengthened cooperation, laying down procedural arrangements related thereto.

The MoC between the EU and ICAO signed and provisionally applied since May 2010 (conclusion on 8 March 2012 and entry into force on 29 March 2012) constitutes the framework for strengthened cooperation between the two organisations. The MoC covers areas of aviation for which both the EU and ICAO have responsibilities (i.e. safety, environment, Air Traffic Management -ATM- and aviation security).

This strengthened cooperation ensures the indispensable participation in and contribution to ICAO initiatives in several key aviation policy areas which are being pursued at the global level. This includes inter alia the initiative to strengthen the safety of international aviation on a worldwide basis, or limit the environmental impact of aviation globally, in line with EU policies. It aims to ensure that European interests, (including of an industrial nature, for example in the area of the definition of worldwide technical standards) are better taken into consideration by ICAO. Through the agreement, ICAO will also be brought to accept, support and enhance the increasingly important role which Regional Aviation Systems play in the current and future development of international aviation.

The strengthened cooperation with ICAO will materialise through a series of concrete actions, which will include, inter alia: - financing of a number of experts in sections within ICAO which are of key interest to European interests (including of an industrial nature), notably in the standard-setting (safety, ATM, security) and policy development (Environmental Protection) sections; - promotion of the recognition and role of the Regional Aviation Systems and their Regional Service Oversight Organizations (RSOO) component - involvement of, and cooperation with ICAO, in the EU's Safety List activities of banned airlines - involvement of, and cooperation with ICAO in safety issues arising from intensified automation of aircraft, air navigation and unmanned aircraft (drones) - provision of technical expertise and assistance, with a focus on countries with safety oversight problems, of specific relevance to Europe (because of the EU Safety List of banned airlines, or because of aviation agreements between the EU and such countries) - actions in the framework of the EU's initiative to strengthen international aviation worldwide. It is foreseen to use Specific Agreements (SA) under the 3-year Framework Partnership Agreement (FPA) between the EC and ICAO for 2021-2023 to cover the implementation of the activities set out in the EU-ICAO MoC. In 2021, the main activity was to contribute financially for the posting of three EU Civil Aviation experts at ICAO headquarters in the areas of security, ATM and environmental protection for rule-making. The EU can benefit largely from these activities as EU legislation in Civil Aviation is largely based upon ICAO rules.

These activities are set to continue. And as funds provide, other mutually agreed and beneficial activities may materialise.

In the above context of the EU-ICAO MoC (point 5.1.6 working arrangements), and based on Article 218 and 220 of the TFEU, the "Framework Partnership Agreement" for the period 2021-2023 will cover activities such as financing of experts at ICAO and technical assistance projects under Regulation 2111/2005/EC.

In order to ensure that the EU-ICAO MoC is effectively implemented, has a concrete impact on ICAO's policy and rules, and provides credibility to the EU as partner of ICAO, it is necessary that a number of concrete actions are undertaken, for which sufficient budgetary means need to be available. This request for an amount of EUR 600 000 for 2022 will constitute the second instalment of the period for three experts, while another expert on aviation security will be covered under a separate grant agreement.

Implementation

Directorate-General for Mobility and Transport in agreement with other directorates-general where relevant.

2.3 Grant to the International Civil Aviation Organization for the employment of an European cargo security expert in the context of the EU-ICAO Framework Partnership Agreement

Type of applicants targeted by the direct award

Grant awarded without a call to bodies with a de jure or de facto monopoly, art. 195(c) FR

Description of the activities to be funded by the grant awarded without a call of proposals

Council Decision 2012/243/EU of 8 March 2012 on the conclusion of a Memorandum of Cooperation between the European Union and the International Civil Aviation Organization providing a framework for enhanced cooperation, and laying down procedural arrangements related thereto.

Grant for financing an EU aviation security expert at ICAO. The MoC covers areas of aviation for which both the EU and ICAO have responsibilities. Framework Partnership Agreement N° MOVE/E1/2020-194 with ICAO provides for the financing of an EU aviation security expert.

The project would provide ICAO with an EU technical expert who would be tasked to support the ICAO Secretariat in the implementation of the Global Aviation Security Plan (GASep), in accordance with the latter's overarching principles and five key priorities:

- enhance risk awareness and response;
- develop security culture and human capability;
- improve technological resources and foster innovation;
- improve oversight and quality assurance;
- increase cooperation and support.

The expert should in particular have expertise in the areas of passenger and air cargo and mail security. Tasks would include developing:

- appropriate preventive measures including enhanced screening for passengers, cargo and mail, appropriate regulatory controls for passenger, cargo, the supply chain and service providers,

guidelines for the selection and training people who implement security measures;

- options for using advance cargo information to enhance aviation security processes within the context of a risk management framework;
- common measures to be applied to freight carried on all cargo and passenger aircraft;
- strategic relationships with other organisations and alignment of regulatory provisions;
- ways and means to assist ICAO Member States in the implementation of GAsEP;
- dissemination of best practice information;
- technical support to ICAO-led and ICAO-coordinated assistance activities.

The amount of EUR 225 000 is based upon the ICAO salary grid as in previous years.

Implementation

Directorate-General for Mobility and Transport in agreement with other directorates-general where relevant.

3. *Procurement*

The global budgetary envelope reserved in 2022 for *Procurement* is EUR 12 372 500.

3.1. **Support activities to the European transport policy, transport security and passenger rights including communication activities**

General description of the contracts envisaged

- Consultancy and studies, including evaluations and impact assessments
- Conferences and communication activities
- Translation of transport related documents
- Development and maintenance of operational IT systems
- Publications on transport matters
- Framework service contract for Trans-European Transport (TEN-T) network modelling
- Framework contract for impact assessment and evaluation support studies in the field of transport

Implementation

Directorate-General for Mobility and Transport in agreement with other directorates-general such as Translation, the Joint Research Centre and Digital service where appropriate.

4. *Other actions or expenditure*

The global budgetary envelope reserved in 2022 for *Other actions or expenditure* is EUR 852 500

4.1 Aviation security inspections: missions and meetings, equipment and services

Amount

EUR 415 000

Description

The Directorate-General for Mobility and Transport carries out aviation security inspections in Member States and in third countries in accordance with Article 15(1) of Regulation (EC) No 300/2008 of the European Parliament and of the Council of 11 March 2008 on common rules in the field of civil aviation security and repealing Regulation (EC) No 2320/2002 (OJ L 97, 9.4.2008, p. 72.) on Commission inspections.

The amount of EUR 400 000 is required to:

- carry out inspection and evaluation missions to airports and appropriate authorities of Member States, Switzerland and other third countries (US, Canada, etc.),
- carry out consultation missions to Member States, Switzerland and other third countries (US, Canada, etc.), and
- organise meetings with policy advisers and national auditors who participate in inspections through a Commission mandate (peer-review system).

The above budget is divided into two parts:

1. Aviation security inspection **missions** of Commission inspectors plus national inspectors EUR 310 000; (inspections of appropriate authorities, airport inspections, follow-up inspections at airports, airport visits 'Article 15' (that is immediate correction checks in case of serious deficiencies), missions in the framework of international cooperation (EFTA -European Free Trade Association- Surveillance Authority, ICAO -International Civil Aviation Organization-, TSA -Transport Security Administration- Canada, etc.) and third country evaluations in the context of One Stop Security).

2. Aviation security inspection **meetings** with national inspectors to train and improve national quality control: EUR 90 000; (annual information meeting with national auditors (currently 102), including a social event, training meeting for newly nominated national auditors by their Member State, meeting of an inspection working group to advance some legislative work or to clarify the interpretation of legislation).

For **equipment and services** EUR 15 000 are required to upgrade the inspectors' equipment (protective clothing, test objects, laptops, cameras, etc.) and for training.

Inspectors could potentially follow aviation security training courses offered by outside organisations (eg the European Aviation Security Training Institute (EASTI)) that do not exist in the Commission's EU Learn catalogue.

Transport (eg bus) during training of national auditors might be required. As part of an annual training and networking event among all aviation security inspectors at European level, a catering service or restaurant may be required.

The amount of EUR 15 000 will cover:

- EUR 3 000 for inspection objects (protective clothing, test objects, laptops, cameras, etc.);
- EUR 6 000 for external training courses in aviation security;
- EUR 6 000 for catering service or restaurant.

4.2 Maritime security inspections

Amount

EUR 375 000

Description

Both Regulation 725/2004 and Directive 2005/65 charge the Commission of maritime security inspections in order to verify compliance of the implementation by the Member States. The Commission shall implement the Memorandum of Understanding between DG Mobility and Transport and the US Coast Guard.

Commission maritime security inspections take place since 2005. Commission inspections are managed and carried out by a small team of 4 maritime security inspectors. Each mission comprises a series of inspections by teams of minimum two, joined by one European Maritime Safety Agency (EMSA) official per inspection, and in the context of mutual trust building by a national inspector. Maritime security inspections cover: a) national administrations; b) ports; c) port facilities and ships; d) Recognised Security Organisations and companies; e) following national inspections and verifications on EU flagged ships outside the EU. Follow-up inspections are also scheduled on a sample basis in case of rectification of serious deficiencies. In 2013, the Commission concluded a Memorandum of Understanding with the US Coast Guard on mutual recognition of maritime 11 security inspections. One of the requirements is an annual visit in the respective premises (Commission / US Coast Guard) in order to perform a desktop analysis of the other party's inspection work. Reciprocal visits to ports are also carried out annually in the EU and in the US. As the team of the US Coast Guard comprises several participants, the Commission should send the equivalent number of participants, both from inspection and policy team to verify the US results, in order to guarantee full reciprocity. Representatives of Member States which host the US Coast Guard in their ports are invited to join the delegation of Commission officials.

The budget of EUR 375 000 covers the following expenditure:

1. Maritime security inspections: missions of Commission inspectors plus national inspectors, EUR 210 000.
2. Meetings with national inspectors in order to improve national quality control, EUR 100 000.
3. High level training of inspectors, EUR 35 000.
4. Equipment, in particular for safety and health at work when on inspection, EUR 5 000.
5. Missions to the US in the framework of the implementation of the MoU with the US Coast Guards, EUR 25 000.

4.3 On-site assessment visits in States of the Safety List in the framework of EU Regulation

Amount

EUR 62 500

Description

According to Regulation (EC) No 2111/2005, the Commission may impose or remove total bans or partial restrictions on air carriers from third countries coming to the EU. In this context, and in accordance with Commission Regulation (EC) No 473/2006 (article 3(4)) and Commission Implementing Regulations (EU) amending Regulation (EC) No 474/2006 establishing the EU Air Safety list, experts from the Commission, EASA (European Aviation Safety Agency) and the Member States may carry out assessment missions to check on the spot and to identify safety deficiencies of the air carriers and their oversight authorities.

The primary aim of on-site assessment visits is to assess whether banned air carriers meet the relevant safety standards (international safety standards contained in the Chicago Convention and its Annexes as well as, where applicable, those in relevant Union law) taking into account the ability and/or willingness of an air carrier and of the authorities responsible for the oversight of an air carrier to address safety deficiencies.

In particular, on-site visits seek to: - verify that the measures taken by Civil Aviation Authorities (CAAs) to address the safety concerns which led to a ban are effective and sustainable; - confirm that CAAs are able to conduct effective oversight and to confirm compliance with safety regulations of air carriers certified in the State; - confirm that CAAs are able to detect any significant safety risks within an air carrier and act in an effective manner to contain the risk; - confirm that air carriers are able to ensure compliance with national civil aviation regulations and are able to identify and take effective action concerning any safety risks to their operations.

In order to achieve the aims of the on-site visit, the following principle areas within the CAA and the air carriers can be reviewed (non-exhaustive):

CAA: - The organisation and resources; - The rules and regulations pertaining to oversight activity; - The details of certified air carriers; - The training of inspecting staff; - The certification and continued oversight activity; - The system for the follow-up and closure of findings; - The system for taking enforcement action.

The air carriers: - Quality Management System; - Safety Management System; - Airworthiness Management System.

Typically, a visit should last for one or two weeks and consist of four or five experts specialised in the different aspects of aviation safety (legislation/ standards, organisation of the authorities, personnel licensing, operations, airworthiness and maintenance, accident and incident investigations).

The visits should be steered by DG Transport who is directly responsible for the implementation of Regulation (EC) No 2111/2005 and is in direct contact with the carriers and the authorities affected by the bans or restrictions.

The cost of the visits to the affected countries to perform the required activities is calculated on the basis of expenses of experts to be recruited for the specific missions. It does not consider the expenses of DG Transport or EASA personnel which could also participate to these actions. The missions of Commission staff are paid under missions' budget. EASA experts are not reimbursed by the Commission.

The total budget for 2022 is EUR 62 500. This budget is calculated on the basis of 2 experts per mission and the expected number of missions (5) for 2021, with an average cost of around EUR 12 500 per mission. Missions are planned to countries of which the safety standards decline to a level where it could be necessary to put them on the Safety List. However, in case of unforeseen events requiring urgent safety interventions other countries may be selected for a mission.