



Interreg



EUROPEAN UNION

Danube Transnational Programme

DAPhNE

D 3.3.2 National state aid report Slovakia

State-aid schemes for funding investments
in ports (public funding)

Work Package 3

Activity 3.3

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1 Scope of the document

The objective of work package 3 of DAPhNE Project is to adopt a joint harmonized approach in regards to legal port issues in order to apply the Same River, Same Rules principle. In the long run, this will secure a balanced development of Danube ports as buzzing economic centers. To this end, the representatives from the private and public port sector all along the Danube (RO, HR & BG Ministries of Transport, port administrations and port associations) join forces to investigate the issues regarding port legislation & public funding.

The scope of the document is to identify the role of public funding in relation *to inland cargo port investments in the Danube region*. Thus, development of maritime ports, river ports other than Danube, as well as port developments financed solely by private entities are not the scope of the project. If a port is both maritime and inland cargo port, the activities shall be split between the inland and maritime port functions in this document.

1.1 General terms

1.1.1 State aid and non-state aid

In principle based on Article 107 (1) of the Treaty on the Functioning of the European Union (TFEU), any aid granted by a Member State or through state resources in any form is generally prohibited. The reason of the prohibition is that state aid distorts or threatens to distort competition in the internal market. Favouring certain undertakings or the production of certain goods through state funds that can be either direct i.e. grants provided or indirect, e.g. exemptions from any payment obligations to the state budget is deemed to have an adverse effect on the trade between Member States.

A measure shall be considered as state aid if involving all the following attributes:

- transfer of state resources;
- economic advantage: the aid reduces the costs normally borne in the budgets of the beneficiary undertakings;
- selectivity: the aid favors certain undertakings or the production of certain goods;
- distortion of competition, and
- affect on trade between the Member States.

Transfer of state resources means the use of funds belonging to, or being controlled by and imputed to public authorities. The form in which this transfer takes place is irrelevant from state aid perspective.

The private investor test is to assess whether there is an economic advantage involved for the beneficiary. This means that the economic advantage shall be established if the state did not act in the same way as a private investor would have acted.

Where aid benefits only products which are not subject to inter-state trade or where trade is affected only at a purely national level, the measure will not fall within the scope of prohibited state aid. This does not mean that only measures relating to exports or imports from a

Member State to another are affected by Article 107 (1) TFEU. It may be that several circumstances in which aid is granted will lead to affecting the trade between Member States. When for instance aid strengthens the position of an undertaking compared with others competing in intra-Union trade, the latter shall be affected by the aid even if the beneficiary itself is not involved directly in exporting or importing goods.¹

Despite the general prohibition of State aid, in some circumstances government interventions are necessary for a well-functioning and equitable economy. Certainly, there are exemptions from the principle of state aid prohibition. First there are exemptions where the aid shall be considered to be compatible with the internal market and thus involving no competition distortions. Then there are aid measures that, under certain conditions, might be compatible with the approach of the internal market.

The measures qualified as compatible by the TFEU are of a social and reparative nature, i.e. (1) social aid, granted to individual consumers, provided that such aid is granted without discrimination related to the origin of the products concerned; (2) aid to restore damages caused by natural disasters or exceptional occurrences; (3) aid granted to the economy of certain areas of the Federal Republic of Germany affected by the division of Germany.

The following may be considered to be compatible with the internal market:

- aid to promote the economic development of the seriously underdeveloped areas;
- aid to promote the execution of an important project of common European interest or to remedy a serious disturbance in the economy of a Member State;
- aid to facilitate the development of certain economic activities or of certain economic areas, where such aid does not adversely affect trading conditions to an extent contrary to the common interest;
- aid to promote culture and heritage conservation where such aid does not affect trading conditions and competition.

Apart from the above, other categories of aid may be specified and deemed compatible by decision of the Council.

1.1.2 Port and port infrastructure²

Port

'Port' means an area of land and water made up of such infrastructure and equipment, so as to permit the reception of waterborne vessels, their loading and unloading, the storage of goods, the receipt and delivery of those goods and the embarkation and disembarkation of passengers, crew and other persons and any other infrastructure necessary for transport operators in the port.

¹ Case 730/79 Philip Morris v Commission [1980] ECR 2671

² Definitions are taken from the Commission Regulation (EU) 2017/1084 of 14 June 2017 amending Regulation (EU) No 651/2014 as regards aid for port and airport infrastructure, notification thresholds for aid for culture and heritage conservation and for aid for sport and multifunctional recreational infrastructures, and regional operating aid schemes for outermost regions and amending Regulation (EU) No 702/2014 as regards the calculation of eligible costs

Maritime port

'Maritime port' means a port for, principally, the reception of sea-going vessels.

Inland port

'Inland port' means a port other than a maritime port, for the reception of inland waterway vessels.

Port infrastructure

'Port infrastructure' means infrastructure and facilities for the provision of transport related port services, for example berths used for the mooring of ships, quay walls, jetties and floating pontoon ramps in tidal areas, internal basins, backfills and land reclamation, alternative fuel infrastructure and infrastructure for the collection of ship-generated waste and cargo residues.

1.1.3 Specific terms and types of public funding

The importance of public funding in port development varies from country to country and as well as the relevant public aid scheme.

In order to analyze the public funding practice of the Danube Region countries, it is necessary to clarify the key concepts and definitions of public funding. The common understanding of the following terms is very important to fill in the attached Excel-sheet with information on public granted port developments.

Individual aid

'Individual aid' means:

- (i) ad hoc aid; and
- (ii) awards of aid to individual beneficiaries on the basis of an aid scheme.³

Aid scheme

"Aid scheme" means any act on the basis of which, without further implementing measures being required, individual aid awards may be made to undertakings defined within the act in a general and abstract manner and any act on the basis of which aid which is not linked to a specific project may be granted to one or several undertakings for an indefinite period of time and/or for an indefinite amount⁴.

Aid intensity

"Aid intensity" means the aid amount expressed as a percentage of the eligible costs.

Aid category

'State aid' and 'non-state aid' categories according to Article 107 (1) TFEU, (e.g. de minimis or aid for local infrastructures⁵)

³ Definition of the article 2 (14) of Commission regulation (EU) No 651/2014 (GBER regulation)

⁴ Definition of the article 2 (15) of Commission regulation (EU) No 651/2014 (GBER regulation)

⁵ Aid categories are detailed in Commission Regulation No 651/2014

2 Overall presentation of Danube Ports in Slovakia

In Slovakia there are 228,2 km of natural navigable watercourses that are used for transport and 38.5 km of man-made canals. The only waterways that comply with the given transport requirements are the Danube River and the modified downstream part of the Váh River up to Sered'. There are limited possibilities for use of the Bodrog River. However, for both the freight and the passenger transport, the only significant waterway is the Danube River connecting Slovakia, Austria and Hungary, as well as the North Sea and the Black Sea via the Danube – Rhine – Main corridor. Other waterways serve only for tourism.

2.1 General information of Danube ports

There are 3 ports on the Danube River, the most significant Bratislava Port, the Komárno Port and the Štúrovo Port.

Figure 1, Danube Ports in Slovakia



Bratislava Port - river kilometres 1,871.35 to 1,862.00:

Bratislava Port is the most important port in Slovakia on the international Danube waterway. It currently fulfils the functions of a universal cargo and passenger port. The port's potential is enhanced by its strategic geographical location at the crossroads of the Rhine – Danube and Baltic Sea – Adriatic Sea corridors of TEN-T transport networks. The Bratislava Port is located on both banks of the Danube River and it is a complex of water bodies, hydro technical installations, port pools and related infrastructure, facilities and storage areas served and connected to both rail and road transportation networks and infrastructure.

Komárno Port - river kilometres 1,770.00 to 1,762.00:

Komárno Port is the second most important port in Slovakia. It is 100 km downriver from Bratislava Port, located on the left-bank of the Danube. The port is also considered the terminus of the Váh inland waterway planned to connect Žilina with the Danube. The port is divided into the west and east section and spreads out over more than 20 hectares. Komárno Port is a public port used for the transshipment of goods between rail, road and water transport directly or using temporary in-port storage facilities. Originally, the Komárno Port has been constructed for the transshipment of bulk materials.

Štúrovo Port - river kilometres 1,718.80 to 1,718.30:

Štúrovo Port is the youngest port in Slovakia. It accounts for less than 1% of the total area of all Slovak public ports. The port is located on the left bank of the Danube on the left-hand side of the navigation channel. This port is currently used only for passenger transport.

Ownership structure:

All Danube Ports (the Bratislava Port, the Komárno Port and the Štúrovo Port) are owned by the State company Verejné prístavy, a.s. (translated as: Public Ports, a joint-stock company, hereafter only the "Company"). The Company was established in 2008 by the Slovak law on inland navigation and bears the legal form of a joint stock company. Its founder was the Slovak Republic, that still remains its sole and thus the controlling shareholder.

The Company is designated to secure technical development of the ports, assure their operation and maintenance, develop conditions for promoting of intermodal transport and collect payments for the use of the ports. According to the competence split in Slovakia, activities of the Company are formally covered by the Slovak Ministry of Transport and Construction that except from the overall supervision defines and approves particular fees for the use of the Danube River ports.

2.2 Waterborne freight statistics 2010-2017

The main transported commodities are oil products, ores, metallurgical coke, construction materials and agricultural products. Production of car manufacturing companies is presently not transported over water, but considering large volumes of their production, potential transport of produced cars is currently one of the main challenges for the development of Slovak watercourses in future.

In the following charts it can be observed that the inland waterway transport in Slovakia represents only a minor portion of the overall transport performance. Data included in the below charts represent not only the Danube River transport but the overall inland waterway transport in Slovakia.

The data below refer to the latest available statistics of the year 2016.

Table 1

<i>Indicator</i>	<i>Volume</i>	<i>Percentage</i>
Transport of goods total	208 804 ths. tonnes	100%
Inland waterway transport	1 769 ths. tonnes	0.85%
Transport performance total	46 075 mill. tonn-km	100%
Inland waterway transport	740 mill. tonn-km	1.6%

Table 2

Modal split of freight transport:		
Railway transport	Road transport	Inland waterway transport
24.3%	74.8%	0.8%

Table 3

Modal split of transport performance:			
Railway transport	Road transport	Inland waterway	Air transport
19.8%	78.4%	1.6%	0.3%

Source: Ministry of Transport and Construction of the Slovak Republic, data for 2016

The tables below indicate volumes of transported commodities (in tons) in the period 2010 – 2016 in the Bratislava and Komárno Port. Data for the year 2017 are not available.

Bratislava Port:

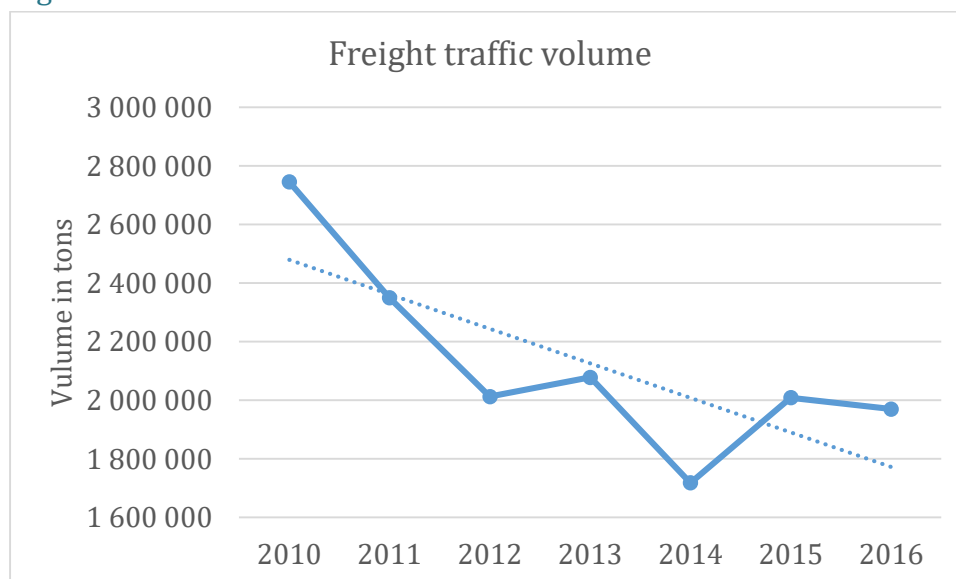
Table 4

	Year / tons	2010	2011	2012	2013	2014	2015	2016
1	Type of goods							
2	Products of agriculture, hunting, and forestry; fish and other fishing products	6 387	9 658	2 499	6 237	11 363	1 973	5 016
3	Coal and lignite; crude petroleum and natural gas	14 934	0	0	4 337	843	0	13 706
4	Metal ores and other mining and quarrying products; peat; uranium and thorium	652 281	653 546	560 864	534 737	491 042	502 966	478 132
5	Food products, beverages and tobacco	802	0	0	0	0	0	0

6	Coke and refined petroleum products	1 034 562	734 502	607 371	690 968	509 975	667 193	526 368
7	Chemicals, chemical products, and man-made fibers; rubber and plastic products ; nuclear fuel	171 828	157 352	143 752	155 656	116 159	117 229	121 100
8	Other non metallic mineral products	0	1 010	0	0	0	0	269
9	Basic metals; fabricated metal products, except machinery and equipment	840 036	769 576	677 696	669 783	566 615	709 214	815 292
10	Machinery and equipment	4 641	4 640	15 127	5 624	5 757	3 148	5 569
11	Transport equipment	0	692	0	0	0	1 204	665
12	Secondary raw materials; municipal wastes and other wastes	15 493	13 898	0	7 498	13 720	4 076	1 114
13	Equipment and material utilized in the transport of goods	4 586	5 088	5 355	3 391	2 702	2 075	2 922
	Grand totals	2 745 550	2 349 962	2 012 664	2 078 231	1 718 176	2 009 078	1 970 153

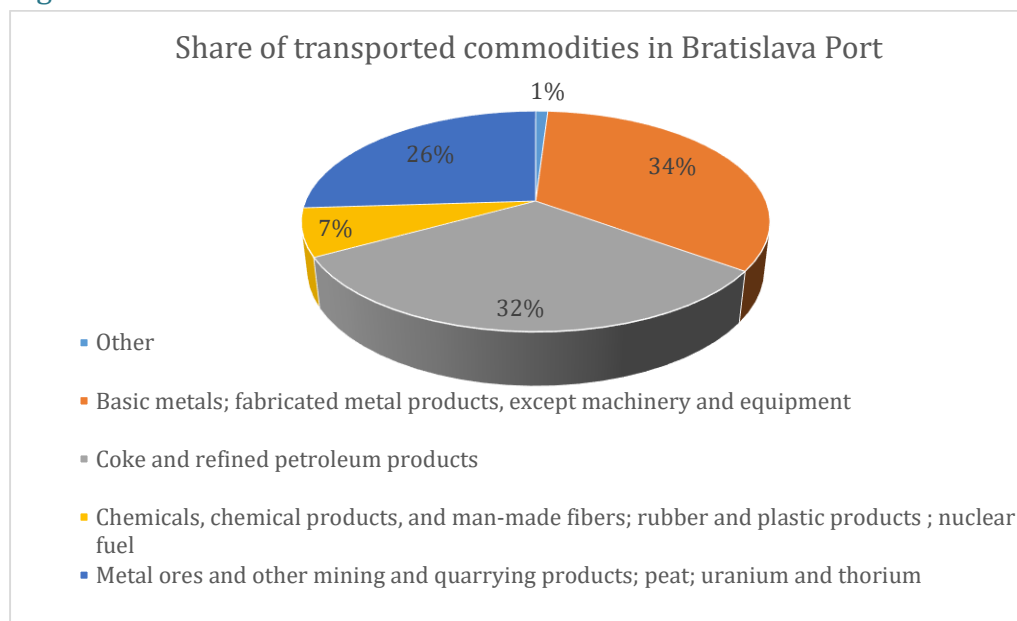
Source: Verejné prístavy, a.s.

Figure 2



Source: Verejné prístavy, a.s.

Figure 3



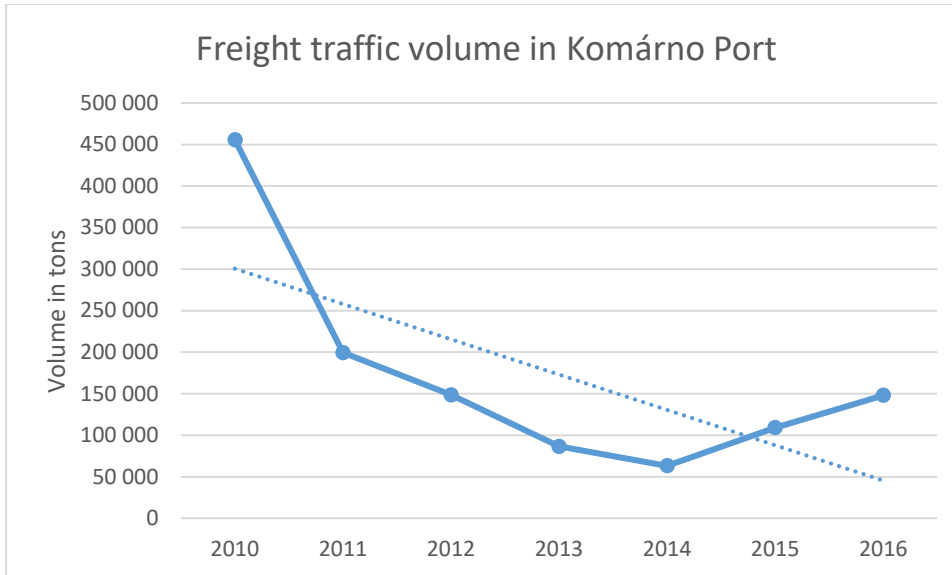
Komárno Port:

Table 5

Year/tons	2010	2011	2012	2013	2014	2015	2016
01 Products of agriculture, hunting, and forestry; fish and other fishing products	11 831	7 958	8 419	2 001	10 230	93 761	131 650
02 Coal and lignite; crude petroleum and natural gas	370 128	148 823	105 510	3 641	494	594	2 413
03 Metal ores and other mining and quarrying products; peat; uranium and thorium	33 782	21 520	23 597	62 988	26 627	11 804	13 883
04 Chemicals, chemical products, and man-made fibers; rubber and plastic products; nuclear fuel	9 617	3 234	0	0	0	0	0
05 Other non metallic mineral products	0	0	0	0	1 876	1 876	0
06 Basic metals; fabricated metal products	30 307	18 008	11 031	17 666	24 056	0	102
07 Machinery and equipment	79	29	0	199	0	97	0
08 Secondary raw materials; municipal wastes and other wastes	0	0	0	0	0	902	0
Grand totals	455 744	199 572	148 557	86 495	63 283	109 034	148 048

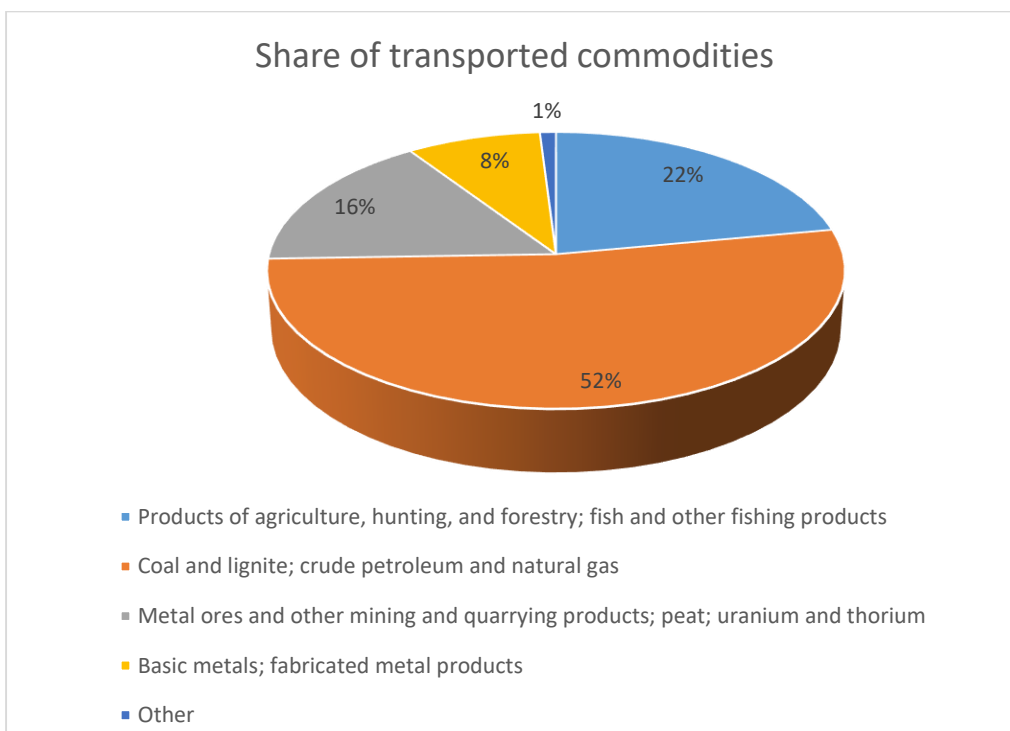
Source: Verejné prístavy, a.s.

Figure 4



Source: Verejné prístavy, a.s.

Figure 5



Source: Verejné prístavy, a.s.

2.3 Development of ports 2010-2017

2.3.1 Objective of port developments

Development plans of the Slovak Republic in the area of transportation until the year 2030 are summarised in a strategical document approved by the Slovak Government in 2017. Observations show an unused potential in the field of passenger waterborne transport and a decline of freight. Present use of the Bratislava port is less than 20% and the use of the Komárno Port approximately 10%.

Institutional perspective:

Despite a rather clear description of tasks to be continuously completed by the Company (Verejné prístavy, a.s.) the development activities of the Danube Ports have been very limited due to ownership / leasing relations between the Company, as the owner of land, and other entities owning the existing infra – and superstructure of the Danube Ports. This conflicting ownership structure and ongoing discussions over the past period led to a stagnation of the Ports.

Financial perspective:

Another limiting factor during the past period was the possibility to use public fund. Despite that the Operation Programme “Transport” implemented in the years 2007 – 2013, was allocated almost 30% of the total volume of funds for the whole period, the inland water transport was not included in its scope. Obtaining of EU funds would thus require to revise the Operation Programme which did not happen.

Except from the EU sources of co-financing, neither the Slovak State budget did designate funds for infrastructural improvement of inland waterborne transport. Lack of financial sources and opportunities for their obtaining was thus observed as one of the main obstacles of the Danube Ports development.

Geographical perspective:

All of the Danube Ports are located in broader city centres what could be an advantage for passenger transport and tourism but a limiting factor for freight transport. Vicinity of residential areas and historic city centres may limit further development and reloading of certain types of cargo. Development of ports shall be considered in future master plans and other strategic documents.

2.3.2 Port development expenditures

Total investments in waterborne transport in Slovakia (both freight and passenger transport) in the period of years 2000 – 2015, according to information collected by the Slovak Statistical Office, reached 44.7 million EUR.

Table 6

In mil. EUR	All types of transport	Road	Railway	Water	Air
Investment	10 360.09	7 309.17	2 700.6	44.76	305.7
Percentage	100%	70,55%	26,07%	0,43%	2,95%

Source: Statistical Office of the Slovak Republic

Ownership of port assets is split between the Company (Verejné prístavy, a.s.) and the company Slovenská plavba a prístavy, a.s.. Information about investments into modernisation of infra and superstructure, owned by Slovenská plavba a prístavy, a.s., has therefore not been disclosed. However, according to publicly available information, there have not been any significant investments into modernisation of port infra and superstructure by Slovenská plavba a prístavy, a.s.

The Company has in the period of years 2010 – 2017 implemented the following projects in order to increase quality of provided services:

Table 7

Project	Volume in EUR	Source of financing	Project output
INWAPO 10/2011 – 12/2014	279 995.64	EU Funds Interreg Central Europe	implementation of a new Client Module; Studies: - analysis of vehicle and containers transport; - software and hardware solutions to improve cargo reloading; - cashless payments of port fees; - direct accession of clients into the ports' information system
DAHAR 04/2011– 03/ 2014	165 181.60	EU Funds Interreg South East Europe	- local action plan for the Bratislava Port
Security and Emergency Plan	30 391.81	EU Funds Integrated Infrastructure	- security and emergency study

3 Public funded investments in inland cargo ports of the Danube Region

3.1 Introduction of public funded investments

Operational Programme Transport – 2007 - 2013

The Operating Program Transport, effective in Slovakia in the previous EU funds programming period of 2007 – 2013 did not include inland water transport in the group of

eligible activities at all. Therefore, entities active in this field had a rather limited opportunities to obtain external funding for their projects.

Operational Programme Transport – 2014 - 2020

In contrast, the present programming document, Operating Program Integrated Infrastructure (OP II), enables support of inland water transport but only in the port of Bratislava. The ports of Komárno and Štúrovo are not eligible.

The total volume of allocated funds for all types of transport is 3.139 billion EUR out of which 137 million EUR is addressed for the water transport. This budget is administered by the Slovak Ministry of Transport and Construction. Certain re-allocations between operating programs and/or priorities may be applicable subject to specific needs and discussions between the individual administrators. The global aim in this programming period is to support sustainable mobility, economic growth and improvement of business environment by enhancing the transport infrastructure, passenger transport and information society.

The Operating Program aims to support multimodal single European transport area by investments into the TEN-T network, including the improvement of services provided in the public port in Bratislava.

According to the Danube Commission classification, the Danube River shall, as a waterway of international importance, guarantee a certain transport performance at least 300 days in a year.

Support of the Bratislava port by means of EU Funds shall contribute to compliance with the following 4 aims of the Danube Strategy:

1. Increase of the river freight transport by 20% until 2020 in comparison to the year 2010,
2. Solving of the Danube navigability considering the river specifics,
3. Construction of effective multimodal terminal along the Danube river.

Activities expected to be supported in Slovakia shall include the following:

- feasibility study aiming to improve navigability of the Danube waterway,
- modernisation and construction of the Bratislava public port,
- introduction of modern technologies in management of port and shipping operation,
- pre-investment and project preparation.

Eligible beneficiaries have been pre-selected by the Slovak Ministry of Transport and Construction and include the Company (Verejné prístavy, a. s.), Agency for Development of Water Transport (Agentúra rozvoja vodnej dopravy) and other central State administrative institutions whose activities contribute to compliance with aims of the Operating Program.

The above activities are expected to be implemented in Bratislava only, as the Komárno and Štúrovo ports are not eligible.

INTERREG SK-HU

The INTERREG SK-HU program allocates 156 million EUR for inter-regional cooperation between Slovakia and Hungary.

This initiative, in the area of transport, aims to:

A) improve transboundary public transport services by

- developing of intelligent transboundary transport systems (ITS);
- investing in infrastructure (ports, rafts, bus or train stations etc.);
- pre-investment activities – feasibility studies, analysis, etc.

B) improve transboundary logistics services by

- transboundary cooperation in logistics, development of integrated systems and related infrastructure and communication technologies;
- investing in infrastructure (for example train stations, ports and roads connecting new port with existing transport networks);
- pre-investment activities – feasibility studies, analysis, etc.

INTERREG SK-AT

The INTERREG SK-AT program allocates 76 million EUR for inter-regional cooperation between Slovakia and Austria.

Neither the INTERREG SK-HU nor INTERREG SK-AT are suitable for large infrastructure investments, but still offer funding possibilities for projects of smaller scale. In case of INTERREG SK-HU as well as INTERREG SK-AT, the projects seeking for support have to include a cross-border element.

This initiative, in the area of transport, aims to support sustainable transport solutions by means of:

- environmentally friendly and effective freight handling, development of multimodal nodes and promotion of lowering the emissions and energy effective freight transport,
- development of intermodal transport and mobility strategy in line with the Danube strategy,
- pre-investment activities – feasibility studies, analysis, etc.

Considering the volume of allocated funds for both INTERREG programs, it can be observed that these initiatives are more suitable for cooperation projects of smaller scale rather than for large investments in infrastructure.

Connecting Europe Facilities (CEF)

The CEF instrument does not, due to the specific selection procedure, constitute state aid, but it is for the purposes of completeness mentioned as another opportunity to obtain funding for investments in port infrastructure.

In the monitored period there have been no significant investments to the development of ports. The volume of investments in ports reported by the Statistical Office of the Slovak Republic reached 21.7 million EUR in the period of 2012 – 2015 (later data are not available). This sum includes both passenger and cargo ports. The following table includes a notified aid scheme, but it is not relevant for the purposes of this report as it provides an advantage to operators of water transport.

Table 8

Aid schemes and individual aids on port developments

Name of the Aid scheme/ Individual Aid	Individual Aid or Aid scheme	Beneficiary	Selection procedure	Total investment (EUR)
Excise duty exemption for inlands waterways	Scheme SA.46046 (2016/NN)	All undertakings providing transport services on inland waterways in Slovakia	Any operator may take advantage of this tax exemption as long as it fulfils the set conditions. That is, if they apply to the customs office for registration as a user undertaking. A user undertaking is then authorised to purchase reduced-duty mineral oil on the basis of the exemption voucher issued at the request of the customs office.	EUR 38.4 million (expected volume of aid provided by this scheme)

3.2 Selection procedure

The following descriptions of selection procedure relate to measures available in the present period. They do not describe the selection process under the scheme listed in the Table 8 as it does not target the ports' development.

3.2.1 Selection procedure 1

Operational Programme Transport – 2014 - 2020

Considering the specific position of the Slovak Ministry of Transport and Construction towards the supported activities, the eligible applicants (Verejné prístavy, a. s., Agency for Development of Water Transport etc.) have already been pre-selected in the Operating Program document. These applicants will be requested to present project applications.

Selection of successful projects shall comply with the outputs of several strategic documents compiled for the needs of the programming period 2014-2020 and goals identified by the Ministry of Transport and Construction.

For the purposes of effective and transparent selection process, supported will be only those projects identified as corresponding to the initial status and needs in the area in water transport, cost effective, environmentally sustainable and with a sufficient personnel capacity.

Quantitative output expected to be reached until the year 2023 in the area of inland water transport:

Table 9

	Indicator	Target
1	Number of modernised public ports in the TEN-T CORE network	1
2	Number of feasibility studies relating to the development of ports and waterways in the TEN-T CORE network	2

3.2.2 Selection procedure 2

INTERREG SK-HU

The process of project selection is organised as calls for proposals with earmarked allocation. The relevant Hungarian and Slovakian authorities set up a Joint Secretariat that is employed by Széchenyi Programme Office Nonprofit Llc. on the basis of a framework agreement. It is located in Budapest and has an international staff from the both Member States. Within the calls for proposals the applicants submit to the Joint Secretariat, by the stated deadline, the prepared project proposals.

The Joint Secretariat shall ensure that only those projects, which meet the condition of optimal expenditure-result relation and which suit the current social-economic needs of the cross-border area best, are selected. One of the key criterion will be the analysis of planned institutional, organisational and financial durability of the effects that are to be achieved. The system of project selection will take into account the need for balance between the necessity of ensuring in-depth evaluation and the quickness and efficiency of the process of evaluation of a large number of applications.

Upon submission of project applications, the formal compliance and eligibility assessment will be conducted. The quality assessment will then be conducted by the Joint Secretariat and a team of experts specializing in particular themes and subjects, having knowledge on the cross-border cooperation and being able to assess both the expected level of co-operation of the project partners during the project implementation and the impact of the project on local and/or regional community on both sides of the border. The decision to award co-financing to a given project is based on the Monitoring Committee selection.

3.2.3 Selection procedure 3

INTERREG SK-AT

The Joint (Technical) Secretariat for the OP Slovakia-Austria 2014-2020 is the Ministry of Agriculture and Rural Development of the Slovak Republic, Department of the Cross-border Cooperation Programmes. It has the overall responsibility for carrying out the assessment of received applications and may consult regional experts on certain criteria.

The assessment process consists of three distinctive phases, each of them using a specific set of criteria:

- Formal Check
- Eligibility assessment
- Quality assessment.

Selection criteria and guiding principles:

- Relevance of the contents for the programme (focus on the intended activities and outputs),
- Quality of methods, management and organisation (logic of the project, approach and capacity for management),
- Justification of budget (economy, efficiency, transparency),
- Regional dimension (contribution to respectively coherence with key strategies at regional and national level),
- Cooperation criteria (synthesis of several aspects based on the four cooperation criteria as defined for the programme),
- Quality of partnership (balance, capacity, policy relevance and potential outreach, potentialities for synergies),

- Cross-border impact (clear rationale and evidence for increased policy lever or effectiveness)
- Sustainability (provisions for shared use after project end, synergies with other ongoing or planned major projects/initiatives).

Each application will be approved by consensus within the Monitoring Committee, consisting of representatives of both Member States, that should take into account and discuss The Joint (Technical) Secretariat's remarks. For the selection of projects for receiving assistance under the programme, the responsibility stays exclusively with the Monitoring Committee.

4 Conclusions

The main problems identified in the waterway sector are mainly bottlenecks on the Danube waterway, the technical condition of public ports, low interest in commerce through water transport, the age of the fleets and decreasing trends in shipping freight.

Development of inland water transport in the past period has been difficult due to several aspects, such as:

- The respective competences are split between 2 ministries and several other institutions what leads to fragmentation of sources, effectiveness and powers, lack of finance and personnel.
- Complicated ownership / leasing relations between the Company (Verejné prístavy, a.s.), as the owner of land, and other entities owning or under long-term leasing agreements operating the existing infra – and superstructure of the Danube Ports. This conflicting ownership structure and ongoing discussions over the past period led to a stagnation of the Bratislava and Komárno Ports;
- Excluding the waterway transport from eligible forms of transport in the Operation Programme “Transport” implemented in the years 2007 – 2013. Despite an allocation of over 3 billion EUR waterway transport was not entitled for any support. In the current period, the Bratislava Port is eligible to apply for public support
- All of the Danube Ports are located in the vicinity of city centres what can be a limiting factor for freight transport as it may limit further development and reloading of certain types of cargo. Development of ports shall be considered in future master plans and other strategic documents.