



Council of the  
European Union

Brussels, 13 October 2022  
(OR. en)

---

---

Interinstitutional File:  
2021/0420(COD)

---

---

12165/2/22  
REV 2

LIMITE

TRANS 556  
CODEC 1257

## WORKING DOCUMENT

---

From:	General Secretariat of the Council
To:	Delegations
No. prev. doc.:	ST 6840/2/22 REV 2 ST 12165/1/22 REV1
No. Cion doc.:	ST 15109/22 - COM(2021) 812 final
Subject:	Proposal for a Regulation of the European Parliament and of the Council on Union guidelines for the development of the trans-European transport network, amending Regulation (EU) 2021/1153 and Regulation (EU) No 913/2010 and repealing Regulation (EU) 1315/2013 - Further revised Presidency compromise on Chapters I and II and on Chapters IV, V and VI

---

Delegations will find attached a further revised Presidency compromise on the articles of Chapters I, II, IV, V and VI of the above proposal with a view to a detailed examination at the meeting of the Working Party on Transport - Intermodal Questions and Networks on 18 October.

Changes compared to the previous version of the Presidency compromise (ST 6840/2/22 REV 2 and ST 12165/1/22 REV 1) are highlighted in **bold and underlined** for additions and in ~~strikethrough~~ for deletions.

[Recitals will be addressed at a later stage.]

## CHAPTER I<sup>1</sup>

### *GENERAL PRINCIPLES*

#### *Article 1*

##### **Subject matter**

1. This Regulation establishes guidelines for the development of a trans-European transport network consisting of the comprehensive network and of the core and extended core network, the two latter being established on the basis of the comprehensive network.
2. This Regulation identifies:
  - (a) European Transport Corridors of highest strategic importance on the basis of priority sections of the trans-European transport network;
  - (b) projects of common interest and specifies the requirements to be complied with for the development and implementation of the infrastructure of the trans-European transport network.
3. This Regulation sets out the priorities for the development of the trans-European transport network and provides for measures for the implementation of the trans-European transport network.

---

<sup>1</sup> Some new drafting proposals in this compromise are still under consideration by the Council Legal Service.

## Article 2

### Scope

1. This Regulation applies to the trans-European transport network as specified in the maps in Annex I and in the lists in Annex II . The trans-European transport network comprises transport infrastructure, including infrastructure for the deployment of alternative fuels, ICT systems for transport as well as measures promoting the efficient management and use of such infrastructure and permitting the establishment and operation of sustainable and efficient transport services.
2. The infrastructure of the trans-European transport network consists of the infrastructure for railway transport, inland waterway transport, maritime transport, road transport, air transport and multimodal transport, including in urban nodes<sup>2</sup>, as laid down in the relevant sections of Chapters II, III and IV.

## Article 3

### Definitions

For the purpose of this Regulation, the following definitions apply:

- (a) 'project of common interest' means any project carried out pursuant to this Regulation;
- (b) 'neighbouring country' means a third country falling within the scope of the European Neighbourhood Policy, the Enlargement Policy, and the European Economic Area, the European Free Trade Association or the EU-UK Trade and Cooperation Agreement;
- (c) 'NUTS region' means a region as classified in Regulation (EC) No 1059/2003 on the establishment of a common classification of territorial units for statistics;
- (d) 'cross-border section' means the section which ensures the continuity of a project of common interest on both sides of the border, between the closest urban nodes to the border of two Member States or between a Member State and a neighbouring country;
- (e) 'bottleneck' means a physical, technical, functional, operational or administrative barrier which leads to a system break affecting the continuity of traffic for long-distance or cross-border flows;
- (f) 'urban node' means an urban area where elements of the transport infrastructure of the trans-European transport network, such as ports including passenger terminals, airports, railway stations, bus terminals, logistic platforms and facilities and freight terminals **and infrastructure for active modes**, located in and around the urban area, are connected with

---

<sup>2</sup> It is proposed to amend Recital 50 as follows:

Urban nodes play an important role on the trans-European transport network as starting point or final destination ("last mile") for passengers and freight moving on the trans-European transport network and are points of transfer within or between different transport modes. It should be ensured that capacity bottlenecks and an insufficient network connectivity within urban nodes do no longer hamper multimodality along the trans-European transport network. The trans-European transport network policy should focus on ~~promoting~~ **ensuring** seamless traffic flows from, to and across urban nodes on the network. The local connectivity within urban nodes should be addressed by the competent local, regional or national authorities, in particular through relevant measures of the SUMPs.

other elements of that infrastructure and with the infrastructure for regional and local traffic, including the one related to active modes;

- (g) 'isolated network' means the rail network of a Member State, or a part thereof, with a track gauge different from that of the European standard nominal track gauge (1435 mm<sup>3</sup>), ~~for which certain major infrastructure investments cannot be justified in economic cost-benefit terms by virtue of the specificities of that network arising from its geographic detachment or peripheral location;~~
- (h) Deleted;
- (i) 'multimodal transport' means the carriage of passengers or freight, or both, using two or more modes of transport;
- (j) 'multimodal digital mobility services' means services as defined in Article [ ... ] of Directive 2010/40 (EU) on the framework for the deployment of Intelligent Transport Systems<sup>4</sup>;
- (k) 'interoperability' means the ability, including all the regulatory, technical and operational conditions, of the infrastructure, including digital infrastructure in a transport mode or segment, to allow safe and uninterrupted traffic and information flows which achieve the required levels of performance for that infrastructure mode or segment;
- (l) 'multimodal passenger hub' means a connection point between at least two transport modes for passengers, where travel information, access to public transport and transfers between modes, including active modes, are ensured and which act as an interface between urban nodes and longer-distance transport networks;
- (m) 'multimodal freight terminal' means a structure equipped for transshipment between at least two transport modes or between two different rail systems, and for temporary storage of freight, such as terminals in inland or maritime ports, along inland waterways, in airports as well as rail road terminals;
- (n) 'logistic platform' means an area which is directly linked to the transport infrastructure of the trans-European transport network, which includes at least one freight terminal and enables logistics activities to be carried out;
- (o) 'sustainable urban mobility plan' (SUMP) means a document for strategic mobility planning, aiming at improving, in a sustainable way, accessibility to and mobility within the functional urban area for people, businesses and goods in view in particular of a better quality of life;

---

<sup>3</sup> **Following recital to be added:**

**26a) An isolated network for the purposes of this Regulation should mean a rail network of a Member State, or a part thereof, with a track gauge different from that of the European standard nominal track gauge. Imposing certain standards and requirements of this Regulation to such networks, or parts thereof, is not justified in economic cost-benefit terms by virtue of the specificities of such networks arising from their detachment with other networks of a different track gauge.**

<sup>4</sup> Directive 2021/... revising Directive 2010/40/EU of the European Parliament and of the Council of 7 July 2010 on the framework for the deployment of Intelligent Transport Systems in the field of road transport and for interfaces with other modes of transport] (OJ L [...]).

- (p) ‘active modes’ means the transport of people or goods, through non-motorised means, based on human physical activity, including those with electric auxiliary propulsion **as referred to in Article 2(2) (h) of Regulation (EU) No 168/2013**;
- (q) ‘ICT systems for transport’ means information and communications technology systems and applications using information, communication, navigation or positioning/localisation technologies, enabling to process, store and exchange the data and information needed to manage infrastructure, mobility and traffic on the trans-European transport network effectively, to report relevant information to authorities and to provide value-added services to citizens, shippers and operators, including systems for resilient, safe, secure, environmentally sound and capacity-efficient use of the network. They include systems, technologies and services referred to in points (r) to (x) and may also include on-board devices with corresponding infrastructure or digital components;
- (r) ‘intelligent transport system’ (ITS) means a system as defined in Article 4(1) of Directive (EU) 2010/40/EU of the European Parliament and of the Council of 7 July 2010 on the framework for the deployment of Intelligent Transport Systems in the field of road transport and for interfaces with other modes of transport<sup>5</sup>;
- (s) ‘Vessel Traffic Monitoring and Information Systems’ (VTMIS) means systems established by Directive 2002/59/EC of the European Parliament and of the Council<sup>6</sup>;
- (t) ‘River Information Services’ (RIS) means information and communication technologies on inland waterways as defined in Article 3, point (a) of Directive 2005/44/EC of the Parliament and of the Council<sup>7</sup>;
- (u) ‘European Maritime Single Window environment’ (EMSWe) means the legal and technical framework as defined in Regulation (EU) 2019/1239 of the European Parliament and of the Council<sup>8</sup>;
- (v) ‘Air Traffic Management / Air Navigation Service System’ (ATM/ANS System) means an ATM/ANS system as defined in Article 3(7) of Regulation (EU) 2018/1139;
- (w) ‘European Rail Traffic Management System’ (ERTMS) means the system referred to in Directive (EU) 2016/797 and in the Annex, point 2.2, to the Commission Regulation (EU) 2016/919<sup>9</sup>;

---

<sup>5</sup> Directive 2010/40/EU of the European Parliament and of the Council of 7 July 2010 on the framework for the deployment of Intelligent Transport Systems in the field of road transport and for interfaces with other modes of transport (OJ L 207, 6.8.2010, p. 1).

<sup>6</sup> Directive 2002/59/EC of the European Parliament and of the Council of 27 June 2002 establishing a Community vessel traffic monitoring and information system and repealing Council Directive 93/75/EEC (OJ L 208, 5.8.2002, p. 10).

<sup>7</sup> Directive 2005/44/EC of the Parliament and of the Council of 7 September 2005 on harmonised river information services (RIS) on inland waterways in the Community (OJ L 255, 30.9.2005, p. 152).

<sup>8</sup> Regulation (EU) No 2019/1239 of the European Parliament and of the Council of 20 June 2019 establishing a European Maritime Single Window environment and repealing Directive 2010/65/EU (OJ L 198, 25.7.2019, p. 64).

<sup>9</sup> Commission Regulation (EU) 2016/919 of 27 May 2016 on the technical specification for interoperability relating to the ‘control-command and signalling’ subsystems of the rail system in the European Union (OJ L 158, 15.6.2016, p. 1).

- (x) 'radio-based ERTMS' means ERTMS of level 2 or level 3 that uses radio to pass movement authorities to the train pursuant to Commission Regulation (EU) 2016/919<sup>10</sup>;
- ~~(y) 'class B systems' means train protection and voice radio legacy systems as defined in the Annex, point 2.2, to the Commission Regulation (EU) 2016/919;~~
- (z) 'maritime port' means a maritime port as defined in Article 2(16) of Regulation (EU) 2017/352;
- (aa) 'short-sea shipping' means the movement of cargo and passengers by sea between ports situated in geographical waters of one or several Member States or between a port situated in waters of Member States and a port situated in waters of an adjacent third country having a coastline on the seas bordering waters of one or several Member States;
- (ab) 'electronic freight transport information' (eFTI) means the electronic communication of regulatory information between economic operators and competent authorities in accordance with Regulation (EU) 2020/1056 of the European Parliament and of the Council<sup>11</sup>;

---

<sup>10</sup> Commission Regulation (EU) 2016/919 of 27 May 2016 on the technical specification for interoperability relating to the 'control-command and signalling' subsystems of the rail system in the European Union (OJ L 158, 15.6.2016, p.1).

<sup>11</sup> Regulation (EU) No 2020/1056 of the European Parliament and of the Council of 15 July 2020 on electronic freight transport information (OJ L 249, 31.7.2020, p. 33).

- (ac) ‘Single European Sky’ (SES) means the systems established under Regulation (EC) No 549/2004<sup>12</sup>, (EC) 550/2004<sup>13</sup>, (EC) No 551/2004<sup>14</sup>, and (EU) No 2018/1139<sup>15</sup> of the European Parliament and of the Council to reinforce air traffic safety standards, to contribute to the sustainable development of the air transport system and to improve the overall performance of air traffic management and air navigation services for general air traffic in Europe;
- (ad) ‘vertiport’ means an area used for the take-off and landing of vertical take-off and landing (VTOL) aircrafts;
- (ae) ‘aircraft contact stand’ means a stand in a designated area of the airport apron equipped with a passenger boarding bridge;
- (af) ‘SESAR project’ means the project to modernise air traffic management in Europe, aimed at providing the Union with a high performance, standardised and interoperable air traffic management infrastructure, and consisting in an innovation cycle that includes the SESAR definition phase, the SESAR development phase and the SESAR deployment phase;
- (ag) ‘Europe’s Rail Project’ means a project of the Europe’s Rail Joint Undertaking, or its predecessor Shift2Rail;
- (ah) ‘European ATM Master Plan’ means the plan endorsed by Council Decision 2009/320/EC<sup>16</sup>, and as subsequently amended<sup>17</sup>;
- (ai) ‘rail freight governance’ means the governance bodies referred to in Article 8 of Regulation (EU) 913/2010;
- (aj) ‘maintenance’ means works intended to maintain the condition and capability of existing infrastructure ~~during its lifetime in order to ensure high level of services and safety~~;
- (ak) ‘socio-economic cost-benefit analysis’ means a quantified ex-ante evaluation, based on a recognised methodology, of the value of a project, taking into account all the relevant social, economic, health, climate-related and environmental benefits and costs. The analysis of climate-related and environmental costs and benefits shall be based on the

---

<sup>12</sup> Regulation (EC) No 549/2004 of the European Parliament and of the Council of 10 March 2004 laying down the framework for the creation of the single European sky (OJ L 96, 31.3.2004, p. 1).

<sup>13</sup> Regulation (EC) No 550/2004 of the European Parliament and of the Council of 10 March 2004 on the provision of air navigation services in the single European sky (OJ L 96, 31.3.2004, p. 10).

<sup>14</sup> Regulation (EU) No 551/2004 of the European Parliament and of the Council of 10 March 2004 on the organisation and use of the airspace in the single European Union (OJ L 96, 31.3.2004, p. 20).

<sup>15</sup> Regulation (EU) 2018/1139 of the European Parliament and of the Council of 4 July 2018 on common rules in the field of civil aviation and establishing a European Union Aviation Safety Agency (OJ L 212, 22.8.2018, p. 1).

<sup>16</sup> OJ L 95, 9.4.2009, p. 41

<sup>17</sup> Council Decision 2009/320/EC of 30 March 2009 endorsing the European Air Traffic Management Master Plan of the Single European Sky ATM Research (SESAR) project (OJ L 95, 9.4.2009, p. 41).



environmental impact assessment carried out pursuant to Directive 2011/92/EU of the European Parliament and of the Council<sup>18</sup>;

- (al) ‘alternative fuels’ means alternative fuels as defined in Article 2(3) of Regulation (EU) [...] [on the deployment of alternative fuels infrastructure];
- (am) ‘safe and secure parking area’ means a parking area accessible to drivers engaged in the carriage of goods or passengers, meeting the requirements of Article 8a (1) of Regulation (EC) No 561/2006 of the European Parliament and of the Council<sup>19</sup> and which has been certified in accordance with Union standards and procedures, pursuant to Article 8a (2) of that Regulation;
- (an) ‘weigh in motion system’ means an automatic system set up on the road infrastructure with the objective to identify vehicles or vehicle combinations in circulation that are likely to have exceeded the relevant weight limits, in accordance with Directive 96/53/EC of the European Parliament and of the Council<sup>20</sup>.
- (ao) ‘**project authorising decision**’ means the decision or a set of decisions, which may be of an administrative nature, taken simultaneously or successively by an authority or by authorities of a Member State, not including administrative and judicial appeal authorities, under a national legal system and administrative law that determine whether or not a project promoter is entitled to implement the project on the geographical area concerned **on the core, extended core or comprehensive network**, without prejudice to any decision taken in the context of an administrative or judicial appeal procedure.

#### *Article 4*

#### **Objectives of the trans-European transport network**

1. The overall objective of the development of the trans-European transport network is to establish one multimodal Union wide network of high quality.
2. The trans-European transport network shall strengthen the social, economic and territorial cohesion of the Union and contribute to the creation of a single European transport area which is sustainable, **safe**, efficient and resilient and which increases the benefits for its users and supports inclusive growth. It shall demonstrate European added value by contributing to the objectives laid down in the following four categories:
  - (a) sustainability through:
    - (i) promotion of zero and low emission mobility in line with the relevant Union CO<sub>2</sub> reduction targets;

---

<sup>18</sup> Directive 2011/92/EU of the European Parliament and of the Council of 13 December 2011 on the assessment of the effects of certain public and private projects on the environment (OJ L 26, 28.1.2002, p. 1).

<sup>19</sup> Regulation (EC) No 561/2006 of the European Parliament and of the Council of 15 March 2006 on the harmonisation of certain social legislation relating to road transport (OJ L 102, 11.4.2006, p. 1).

<sup>20</sup> Council directive 96/53/EC of 25 July 1996 laying down for certain road vehicles circulating within the Community the maximum authorized dimensions in national and international traffic and the maximum authorized weights in international traffic (OJ L 235, 17.9.1996, p. 59).



- (ii) enabling greater use of more sustainable modes of transport, in particular by further developing a long-distance rail passenger network, including at high speed, and an interoperable rail freight network, a reliable inland waterway and short-sea shipping network across the Union and also by promoting active modes of transport;
- (iii) increased environmental protection;
- (iv) reduction of negative externalities including those related to environment, health, congestion and accidents;
- (v) greater energy security;
- (b) cohesion through:
  - (i) accessibility and connectivity of all regions of the Union, including outermost regions and other remote, insular, peripheral and mountainous regions as well as sparsely populated areas;
  - (ii) reduction of infrastructure quality gaps between regions and Member States;
  - (iii) for both passenger and freight traffic, efficient coordination and interconnection between transport infrastructure for, on the one hand, long-distance traffic and, on the other, regional and local traffic and transport services in urban nodes;
  - (iv) a transport infrastructure that reflects the specific situations in different parts of the Union and provides for a balanced coverage of all European regions;
- (c) efficiency through:
  - (i) the removal of infrastructure bottlenecks and the bridging of missing links, both within the transport infrastructures and at connecting points between them, within Member States' territories and between them;
  - (ii) the removal of interoperability bottlenecks, including gaps in digitalisation;
  - (iii) the interoperability of national, regional and local transport networks;
  - (iv) optimal integration and interconnection of all transport modes, including in urban nodes;
  - (v) the promotion of economically efficient, high-quality transport contributing to further economic growth and competitiveness;
  - (vi) more efficient use of new and existing infrastructure in operation;
  - (vii) cost-efficient application of innovative technological and operational concepts;
- (d) increasing the benefits for its users through:
  - (i) ensuring the accessibility for users and meeting their mobility and transport needs, taking into account in particular the needs of people in situations of vulnerability, including persons with disabilities or reduced mobility and people living in remote regions, including the outermost regions and islands;
  - (ii) ensuring safe, secure and high-quality standards, including quality of services to the users, for both passenger and freight transport;

- (iii) supporting the quality, efficiency and sustainability of transport services which are accessible and affordable;
  - (iv) supporting mobility that is fit for the changing climate and resilient to natural hazards and human-made disasters, and facilitates efficient and fast deployment of emergency and rescue services, including for persons with disabilities or reduced mobility;
  - (v) ensuring the resilience of infrastructure, in particular on cross-border sections;
  - (vi) offering alternative transport solutions, including on other modes, in case of network disturbances.
- (vii) supporting active modes of mobility by enhancing accessibility and quality of related infrastructure as well as safety for active users of infrastructure and by ensuring consideration of the health and environmental benefits of active modes of mobility in policy decisions;**

### *Article 5*

#### **Resource-efficient network and environmental protection**

1. The trans-European transport network shall be planned, developed and operated in a resource-efficient way, and in accordance with the applicable Union and national environmental requirements, through:
  - (a) the development of new infrastructure, the improvement and maintenance of existing transport infrastructure, notably by including maintenance over the life-time of the infrastructure in the planning phase of construction or improvement of the infrastructure and by keeping the infrastructure operational;
  - (b) the optimisation of infrastructure integration and interconnection;
  - (c) the deployment of alternative fuels recharging and refuelling infrastructure;
  - (d) the deployment of new technologies and ICT systems for transport to preserve or improve the infrastructure performance, where such deployment is economically justified or required to improve safety and security;
  - (e) the optimisation of infrastructure use, in particular through efficient capacity and traffic management and the shift towards more sustainable mobility patterns, including the development of sustainable, attractive and efficient multimodal transport services;
  - (f) the taking into account of possible synergies with other networks, in particular the trans-European energy or telecommunication networks or the dual-use network identified in the Military Requirements for Military Mobility within and beyond the EU;
  - (g) the development of green, sustainable and climate resilient infrastructure designed to reduce as much as possible the negative impact on the health of citizens living around the network, the environment and degradation of ecosystems;
  - (h) the adequate consideration of the resilience of the transport network and its infrastructure, especially at cross-border sections, with regard to a changing climate

as well as natural hazards and human-made disasters, as well as disruptions, intentional or not, including for traffic, with a view to addressing those challenges;

- (i) Deleted.
2. In planning and developing the trans-European transport network, Member States may adapt the detailed route alignment of sections taking into account the particular circumstances in the various parts of the Union, such as topographical features of the regions concerned and environmental considerations while ensuring compliance with this Regulation. Such adaptation shall not go beyond what is allowed by the relevant project authorising decision .
3. The environmental assessment of plans and projects shall be carried out in accordance with Council Directive 92/43/EEC<sup>21</sup>, Directives 2000/60/EC<sup>22</sup>, 2001/42/EC<sup>23</sup>, 2002/49/EC<sup>24</sup>, 2009/147/EC<sup>25</sup> and 2011/92/EU of the European Parliament and of the Council<sup>26</sup>. For the projects of common interest for which the procurement process for an environmental assessment has not yet been initiated at the date of entry into force of this Regulation, the compliance with the “do no significant harm” principle should also be assessed.

#### *Article 6*

### **Gradual development of the trans-European transport network**

1. Without prejudice to Article 8, paragraph 4a, the trans-European transport network shall be gradually developed in three steps: the completion of a core network by 31 December 2030, of an extended core network by 31 December 2040 and the comprehensive network by 31 December 2050, **unless otherwise specified in this Regulation**. This shall be achieved, in particular, by implementing a structure for that network with a coherent and transparent methodological approach, comprising a comprehensive network and a core and extended core network, with transport and urban nodes as multimodal connecting points between long distance traffic and the regional and local transport networks.
2. The comprehensive network shall consist of all existing and planned transport infrastructures of the trans-European transport network as well as measures promoting the efficient and socially and environmentally sustainable use of such infrastructure.

---

<sup>21</sup> Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora (OJ L 206, 22.7.1992, p. 7).

<sup>22</sup> Directive 2000/60/EC of the European Parliament and of the Council of 23 October 2000 establishing a framework for Community action in the field of water policy (OJ L 327, 22.12.2000, p. 1).

<sup>23</sup> Directive 2001/42/EC of the European Parliament and of the Council of 27 June 2001 on the assessment of the effects of certain plans and programmes on the environment (OJ L 197, 21.7.2001, p. 30).

<sup>24</sup> Directive 2002/49/EC of the European Parliament and of the Council of 25 June 2002 relating to the assessment and management of environmental noise (OJ L 189 18.7.2002, p. 12).

<sup>25</sup> Directive 2009/147/EC of the European Parliament and of the Council of 30 November 2009 on the conservation of wild birds (OJ L 20, 26.1.2010, O. 7).

<sup>26</sup> Directive 2011/92/EU of the European Parliament and of the Council of 13 December 2011 on the assessment of the effects of certain public and private projects on the environment (OJ L 26, 28.1.2012, p. 1).

3. The core and extended core network shall consist of those parts of the trans-European transport network which shall be developed as a matter of priority for achieving the objectives for the development of the trans-European transport network.

#### *Article 7*

### **European Transport Corridors**

The European Transport Corridors shall consist of the parts of the core or extended core network which are of the highest strategic importance for the development of sustainable and multimodal freight and passenger transport flows in Europe and for the development of interoperable high quality infrastructure and operational performance.

#### *Article 8*

### **Projects of common interest**

1. Projects of common interest shall contribute to the development of the trans-European transport network through the creation of new transport infrastructure, through the upgrading of the existing transport infrastructure or through measures promoting the resource-efficient use of the network.
2. A project of common interest shall:
  - (a) demonstrate European added value by contributing to the objectives falling within at least two of the four categories set out in Article 4; and
  - (b) ~~be economically viable~~ **have a positive contribution to the development of the network** on the basis of a socio-economic cost-benefit analysis<sup>27</sup>.
  - (c) Deleted.
3. A project of common interest encompasses its entire cycle, including feasibility studies and permission procedures, construction, operation and evaluation.
4. Member States shall take all necessary measures to ensure that the projects are carried out in compliance with relevant Union and national law, in particular with Union legal acts on the environment, climate protection, safety, security, competition, state aid, public procurement, public health and accessibility as well as legislation on non-discrimination.
- 4a. The implementation of projects of common interest depends on their degree of maturity, the compliance with Union and national legal procedures, and the availability of financial resources, without prejudging the financial commitment of a Member State or of the Union.

---

<sup>27</sup> It is proposed to amend Recital 8 as follows:

**“Projects of common interest should contribute to the development of the trans-European transport network through the creation of new transport infrastructure, through the maintenance and upgrading of existing infrastructure and through measures promoting its resource-efficient use. Projects of common interests should demonstrate a European added value and have a positive contribution to the development of the network on the basis of a socio-economic cost-benefit analysis, taking into account the specific characteristics and constraints of the area concerned, in particular of less populated area.”**

5. The Commission may recommend Member States to establish single entities for the coordination, construction and/or management of cross-border infrastructure projects of common interest, especially for large-scale and complex ones. The relevant European Coordinator shall have the status of observer in the supervisory board or a similar steering body of that single entity:

#### *Article 9*

### **Cooperation with third countries**

1. The Union may cooperate with third countries in order to connect the trans-European transport network with their infrastructure networks through the projects of common interests, where relevant with a view to enhancing sustainable economic growth and competitiveness and in particular to:
- (a) promote the extension into third countries of the trans-European transport network policy together with other related Union policies, in particular in the fields of environment and climate protection<sup>28</sup>;
  - (b) ensure the connection between the trans-European transport network and the transport networks of the third countries at border crossing points, including on the territory of the third country in order to guarantee seamless traffic flows, border checks, border surveillance and other border control procedures;
  - (ba) ensure on the territory of the third country the connection between the trans-European transport network and the transport networks of the third countries;
  - (c) complete the transport infrastructure in third countries which serve as links between parts of the trans-European transport network in the Union;
  - (d) promote the interoperability between the trans-European transport network and networks of third countries;
  - (e) facilitate maritime transport and promote short-sea shipping routes with third countries;
  - (f) facilitate inland waterway transport with third countries;
  - (g) facilitate air transport with third countries, in order to promote efficient and sustainable economic growth and competitiveness, including the extension of the Single European Sky and improved air traffic management cooperation;
  - (h) connect and implement ICT systems for transport in those countries;

---

<sup>28</sup> It is proposed to amend Recital 38 as follows:

Cooperation with third countries, including neighbouring countries, is necessary in order to ensure connection and interoperability between the infrastructure networks of the Union and those countries. In view of this, the Union should, where appropriate, promote projects of common interest with those countries and also assess and ensure that the objectives and requirements of the trans-European transport network are complied with in order to ensure the interoperability of the Union network. ~~These projects should be also~~ **and are** aligned with the goal of achieving climate neutrality in the EU by 2050 in order to ensure level playing field in transport, in particular by preventing carbon leakage.

- (i) promote **decarbonisation of transport, in particular through** the deployment of alternative fuels infrastructure in third countries in view of establishing a continuous network linked with the trans-European transport network.
2. Annex IV sets out indicative maps of the trans-European transport network extended to specific neighbouring countries, specifying where applicable a core and comprehensive network according to the criteria of this Regulation.
3. **This article shall not prejudice any kind of financial contribution of the Union to projects in third countries under other EU legal acts.**

## CHAPTER II

### *GENERAL PROVISIONS*

#### *Article 10*

#### **General provisions for the core network, the extended core network and the comprehensive network**

1. The core network, the extended core network and the comprehensive network shall:
  - (a) be as specified in the maps in Annex I and in the lists in Annex II;
  - (b) be further specified through the description of the infrastructure components;
  - (c) meet the requirements for the transport infrastructures set out in this Chapter and Chapters III and IV;
  - (d) constitute the basis for the identification of projects of common interest.
2. The core network and extended core network shall consist of those parts of the comprehensive network which shall be developed as a matter of priority for achieving the objectives of the trans-European transport network policy. References to ‘core network’ in Regulation (EU) 2021/1153 shall be construed as including ‘extended core network’ as defined in this Regulation. References to ‘core network’ in Regulation (EU) [...] [on the deployment of alternative fuels infrastructure] shall be construed as references to ‘core network’ as defined in this Regulation. References to ‘comprehensive network’ in Regulation (EU) [...] [on the deployment of alternative fuels infrastructure] shall be construed as references to ‘extended core network’ and ‘comprehensive network’ as defined in this Regulation.
3. The nodes of the network are set out in Annex II and include urban nodes and transport nodes (airports, maritime ports, inland ports and rail road terminals).
4. Member States shall take the appropriate measures for the core network, the extended core network and the comprehensive network to be developed in order to comply with the relevant provisions of this Regulation by the dates specified in Article 6(1), unless specified otherwise in this Regulation.

## Article 11

### General provisions for the European Transport Corridors

1. The nine European Transport Corridors, namely :
  - i. Atlantic;
  - ii. Baltic-Black-Aegean Seas;
  - iii. Baltic Sea – Adriatic Sea;
  - iv. Mediterranean;
  - v. North Sea – Alpine;
  - vi. North Sea – Baltic;
  - vii. Rhine – Danube;
  - viii. Scandinavian – Mediterranean;
  - ix. Western Balkans – Eastern Mediterranean,are specified in the maps in Annex III.
2. Member States shall take the appropriate measures for the European Transport Corridors to be developed in order to comply with the provisions of this Regulation, by 31 December 2030 for their infrastructure which is part of the core network, ~~unless specified otherwise~~ and by 31 December 2040 for their infrastructure which is part of the extended core network, unless specified otherwise **in this Regulation**.
3. Subject to Article 172(2) TFEU, the Commission is empowered to adopt delegated acts in accordance with Article 60 of this Regulation to amend within the limits of Article 7 the alignment of the European Transport Corridors in Annex III to this Regulation, in order to take into account the development of major trade flows and traffic or substantial changes to the network. With respect to amendments to alignments of corridors affecting the parts in the territory of neighbouring countries, such delegated acts shall be based on high-level agreements on transport infrastructure networks between the Union and the neighbouring countries concerned.



**General priorities for the core, the extended core and the comprehensive network**

1. In the development of the core, the extended core and the comprehensive network, general priority shall be given to measures that are necessary for:
  - (a) increasing the share of more sustainable modes of transport for freight and passengers, in particular in view of a reduction of GHG emissions and pollution and of an increase of social and economic benefits from transport;
  - (b) ensuring enhanced accessibility and connectivity for all regions of the Union while taking into consideration territorial and social cohesion as well as the specific case of the outermost regions and other remote, insular, peripheral and mountainous regions as well as sparsely populated areas;
  - (c) ensuring optimal integration of the transport modes and interoperability between transport modes, **including active modes of mobility in urban areas**;
  - (d) bridging missing links and removing bottlenecks, particularly in terms of interoperability and for cross-border sections;
  - (e) deploying the necessary infrastructure which ensures a seamless circulation of zero and low emission vehicles, vessels and aircrafts;
  - (f) promoting the efficient and sustainable use of the infrastructure and, where necessary, increasing capacity;
  - (g) keeping existing infrastructure operational and improving or maintaining its quality in terms of safety, security, efficiency of the transport system and transport operations, climate and disaster resilience, environmental performance, and the continuity of traffic flows;
  - (h) improving the quality of services and social conditions for transport workers, accessibility for all users, including persons with disabilities or reduced mobility and other people in situations of vulnerability;
  - (i) improving digitalisation and developing automation, in particular through the implementation and deployment of ICT systems for transport.
2. In order to complement the measures set out in paragraph 1, particular consideration shall be given to measures that are necessary for:
  - (a) contributing to mitigating exposure of urban areas to negative effects of transiting rail and road transport; and

- (b) Moved to (a)
- (c) Deleted; <sup>29</sup>
- (d) optimising the use of infrastructure, in particular through efficient capacity management, traffic management and increased operational performance.
- (e) contributing to positive health and environmental effects by promoting the use of active modes of mobility through the deployment of corresponding infrastructure for cycling and walking.**

### *Article 13*

#### **General priorities for the European Transport Corridors**

In the development of the European Transport Corridors, general priority shall be given to measures that are necessary for:

- (a) the development of a high performance and fully interoperable rail freight network across the Union;
- (b) the development of an interoperable high performance rail passenger network, including at high speed, connecting urban nodes across the Union;
- (c) the development of an efficient aviation and inland waterways transport infrastructure and of a maritime transport infrastructure well integrated within the European Maritime Space;
- (d) the development of a safe and secure road network, with sufficient alternative fuel infrastructures;
- (e) the development of improved multimodal and interoperable transport solutions;
- (f) the promotion of intermodal integration of the entire logistic chain, interconnecting efficiently in the transport and urban nodes;
- (g) the deployment of the necessary infrastructure which ensures a seamless circulation of zero and low emission vehicles, vessels and aircrafts.

---

<sup>29</sup> This paragraph which deals with the removal of bottlenecks, in particular for interoperability, has been merged with paragraph 1(d).

## CHAPTER IV

### ***PROVISIONS FOR SMART AND RESILIENT TRANSPORT***

#### *Article 42*

#### **ICT systems for transport**

1. ICT systems for transport shall be such as to enable capacity and traffic management and the exchange of information within and between transport modes, for multimodal transport operations and value-added transport-related services, improvements in resilience, safety, security, congestion and operational and environmental performance, and simplified administrative procedures. ICT systems for transport shall also facilitate seamless connection between infrastructure and mobile assets.
2. The following ICT systems for transport shall be deployed in accordance with and within the limits of specific provisions laid down in Union law, across the Union, in order to ensure the presence of a set of interoperable basic capabilities in all Member States:
  - (a) for railways: ERTMS, telematics applications for freight and passenger services as referred to in the Technical Specification for Interoperability, in particular outputs from Shift2Rail and Europe's Rail Joint Undertaking;
  - (b) for inland waterways: RIS;
  - (c) for road transport and its interfaces with other modes of transport: ITS;
  - (d) for maritime transport: for vessel traffic management VTMIS services and for information exchange the European Maritime Single Window environment (EMSWe);
  - (e) for air transport: ATM/ANS systems, in particular those resulting from the SESAR project;
  - (f) for multimodal transport: eFTI.
3. deleted.

## Article 43

### **Sustainable freight transport services**

1. Member States shall promote projects of common interest which both provide efficient freight transport services that use the infrastructure of the trans-European transport network and contribute to reducing GHG emissions and other negative environmental and socio-economic impacts, and which aim to:
  - (a) improve sustainable use of transport infrastructure, including its efficient management;
  - (b) promote the deployment of innovative transport services, including short-sea shipping links in the framework of the European Maritime Space, ICT systems for transport and the development of the ancillary infrastructure necessary to achieve mainly environmental and safety-related goals of those services;
  - (c) facilitate multimodal transport service operations, including the necessary accompanying information flows, and improve cooperation of the participants of the logistic chain, including shippers, operators, service providers and their customers;
  - (d) stimulate resource efficiency and zero- and low-emission operation, in particular in the fields of technologies, operations, vehicle traction, driving/steaming, systems and operations planning; or
  - (e) improve links to the most vulnerable and isolated parts of the Union, in particular the outermost regions, and other remote, insular, peripheral and mountainous regions as well as sparsely populated areas promoting regular and frequent services.
2. deleted.

## Article 44

### **New technologies and innovation**

In order for the trans-European transport network to keep up with innovative technological developments and deployments, the aim shall be in particular to:

- (a) support and promote the decarbonisation of transport through transition to zero- and low-emission vehicles, vessels and aircrafts and other innovative and sustainable transport and network technologies in harmonised and coordinated way;

- (b) enhance the decarbonisation of all transport modes by stimulating energy efficiency, introduce zero and low emission solutions, including hydrogen and electricity supply systems, as well as other new solutions such as sustainable fuels, and provide corresponding infrastructure, where possible through synergies with the TEN-E. Such infrastructure may include grid access and other facilities necessary for the energy supply, may take account of the infrastructure-vehicle interface and may encompass ICT systems for transport. Transport infrastructure may serve as energy hub to serve different transport modes, **in order to connect local production of clean energy with zero emission mobility applications. Transport infrastructure may also contribute to the deployment of other technologies accelerating the decarbonisation of the economy, such as carbon dioxide transport through pipelines or other modes of transport;**
- (c) support the take-up and deployment of new digital technologies, in particular promote data exchange and connectivity infrastructure with uninterrupted coverage across the network to ensure the highest level and performance of digital infrastructure and reach higher levels of automation;
- (d) improve the safety and sustainability of the movement of persons and of the transport of goods;
- (e) improve the operation, management, accessibility, interoperability, multimodality and efficiency of the network, including through the development of multimodal digital mobility services;
- (f) promote efficient ways to provide accessible and comprehensible information to all users and providers of transport services regarding interconnections, interoperability and multimodality and regarding the environmental impacts of their transport choices;
- (g) deleted.
- (h) promote measures to reduce negative externalities, such as congestion, damage to health and pollution of any kind including noise and emissions;
- (i) introduce security technology;
- (j) improve transport infrastructure resilience against disruptions and climate change through infrastructure upgrades and design, as well as digital, cyber secure solutions

aimed at the protection of the network in the context of natural and human-made disasters;

- (k) further advance the development and deployment of ICT systems and new technologies for transport within and between modes of transport.

#### *Article 45*

### **Safe and secure infrastructure**

Deleted.

#### *Article 46*

### **Resilience of infrastructure**

1. Member States shall make all possible efforts to ensure that when projects of common interest are planned and implemented the security and resilience of the infrastructure to climate change, natural hazards, human-made disasters, accidents and operational interruptions as well as intentional disruptions affecting the functioning of the Union transport system are taken into account. In particular, due consideration shall be given to:
  - (a) interdependencies, linkages and cascading effects with other networks such as telecommunication and electricity network;
  - (b) safety, security and performance in the presence of multiple hazards;
  - (c) structural infrastructure quality during its whole lifecycle, with particular attention to the future projected climate conditions;
  - (d) civil protection needs to react to disruptions;
  - (e) cyber-security and resilience of infrastructure, with particular attention to cross-border infrastructure.
2. Projects of common interest for which an environmental impact assessment must be carried out in compliance with Directive 2011/92/UE shall be subject to climate proofing. The climate proofing shall be undertaken taking into account the latest available best practice and guidance to ensure that transport infrastructures are resilient to the adverse impacts of climate change, through a climate vulnerability and risk assessment, including through relevant adaptation measures, and through integration of the costs of greenhouse gas

emissions in the cost-benefit analysis. Without prejudice to the provisions laid down in other EU acts, such requirement does not apply to projects for which the procurement process of the environmental impact assessment has been initiated before entry into force of this Regulation<sup>30</sup>.

[Article 47<sup>31</sup>

### ***Risks to security or public order***

- ~~1. Without prejudice to each Member State having sole responsibility for its national security, as provided for in Article 4(2) TEU, and to the right of each Member State to protect its essential security interests in accordance with Article 346 TFEU, Member States shall notify the Commission of any project of common interest in their territory with the participation of or contribution of any kind by a natural person of a third country or an undertaking of a third country with a view to allow assessment of its impact on security or public order in the Union. This obligation shall not apply to:~~
- ~~(a) foreign direct investments notified to the Commission and other Member States pursuant to Article 6(1) of Regulation (EU) 2019/452;~~
  - ~~(b) the participation or contribution of a natural person performing for remuneration work the nature of which is not determined by himself for and under the control of another;~~

---

<sup>30</sup> Recital 14 should be amended as follows:

Infrastructure projects under the TEN-T Regulation should be resilient to the potential adverse impacts of climate change through a climate vulnerability and risk assessment, including through relevant adaptation measures. Projects for which an environmental impact assessment must be carried out should be subject to climate proofing and integrate the costs of greenhouse gas emissions and the positive effects of climate mitigation measures in the cost-benefit analysis. The climate proofing should be undertaken based on the latest available best practice and guidance. This contributes to the integration of climate change-related risks as well as climate change vulnerability and adaptation assessments into investment and planning decisions under the Union budget. Without prejudice to the provisions laid down in other EU acts, in particular implementing acts concerning the conditions of allocation of Union financial support to projects of common interests under Regulation (EU) 2021/1153, the requirement to carry out a climate proofing should apply only to projects for which the procurement process of the environmental impact assessment has not yet been initiated at the date entry into force of this Regulation.

<sup>31</sup> The Presidency is reflecting on a possible draft compromise on this Article.



- ~~(c) the participation or contribution in a project of common interest in a Member State which does not exceed an amount of EUR 100 000 000 or a value equivalent to that amount for projects in road, railway or inland waterway infrastructure other than inland ports provided that the cumulated participation or contribution of the natural person or undertaking concerned in projects in that Member State does not exceed EUR 250 000 000 over a period of three years.~~
- ~~(d) the participation or contribution in a project of common interest in a Member State which does not exceed an amount of EUR 5 000 000 or a value equivalent to that amount for projects in maritime or inland ports, in airports or in terminals, provided that the cumulated participation or contribution of the natural person or undertaking concerned in projects in that Member State does not exceed EUR 15 000 000 over a period of three years;~~

~~(c) the participation or contribution in a project of common interest in a Member State which does not exceed an amount of EUR 1 000 000 or a value equivalent to that amount for projects in ICT systems for transport, provided that the cumulated participation or contribution of the natural person or undertaking concerned in projects in that Member State does not exceed EUR 5 000 000 over a period of three years.~~

~~2. The information shall in particular include:~~

- ~~(a) the ownership structure of the undertaking of a third country and where applicable of the undertaking in which the participation or contribution is planned, including information on the ultimate beneficial owner and participation in the capital;~~
- ~~(b) the approximate value of the participation or contribution by a natural person of a third country or an undertaking of a third country in the project of common interest and the description of the form and conditions of such participation or contribution;~~
- ~~(c) the products, services and business operations of the natural person of a third country or an undertaking of a third country and where applicable of the undertaking in which the participation or contribution is planned affecting the trans-European network;~~
- ~~(d) the Member States in which the natural person of a third country or an undertaking of a third country and where applicable the undertaking in which the participation or contribution is planned conduct relevant business operations affecting the trans-European transport network;~~
- ~~(e) the funding of the contribution or participation and its source, on the basis of the best information available to the Member State;~~
- ~~(f) the date when the participation is planned to take effect or the contribution is planned to be completed.~~

~~In addition, Member States shall endeavour to provide any information, if available, relevant for the assessment undertaken by the Commission pursuant to points (a), (b) and (c) of the second subparagraph of paragraph 5.~~

~~Member States shall ensure that the information notified pursuant to paragraph 1 is made available at least~~

- ~~— two months after the deadline for receipt of tenders in the public procurement as set out in Directive 2014/24 or Directive 2014/25, where applicable, or~~
- ~~— in the absence of public procurement four months before the date referred to in point (f) of the first subparagraph.~~

~~3. No later than thirty calendar days following the receipt of information pursuant to paragraph 1, the Commission may request additional information from the Member State where the project of common interest is planned. Any request for additional information shall be duly justified, limited to information necessary to carry out the assessment pursuant to paragraph 5, proportionate to the purpose of the request and not unduly burdensome for the Member State where the project of common interest is planned.~~

~~The Member State where the project of common interest is planned shall ensure that the additional information requested by the Commission is made available to the Commission without undue delay.~~

~~The Member State where the project of common interest is planned may request the natural person of a third country or an undertaking of a third country to provide the information referred to in paragraph 2 and 3. The natural person of a third country or an undertaking of a third country concerned shall provide the information requested without undue delay.~~

~~4. Where the Commission considers that the participation of or contribution of any kind by a natural person of a third country or an undertaking of a third country is likely to affect infrastructure on the trans-European transport network on grounds of security or public order, or has relevant information in relation to that participation or contribution, or the project of common interest concerned, it may issue an opinion addressed to the Member State where the project of common interest is planned.~~

~~5. In determining whether the participation of a natural person of a third country or an undertaking of a third country is likely to affect infrastructure on grounds of security or public order, the Commission may consider its potential effects on, inter alia on:~~

- ~~(a) supply of inputs essential for the building, operation and maintenance of the infrastructure;~~

~~(b) — access to sensitive information, including personal data, or the ability to control such information in conjunction with the building, operation and maintenance of the infrastructure.~~

~~In determining whether a foreign participation or contribution is likely to affect security or public order, the Commission may also take into account, in particular:~~

~~(a) — whether the third undertaking is directly or indirectly controlled by the government, including state bodies or armed forces, of a third country, including through ownership structure or significant funding;~~

~~(b) — whether the natural person of a third country or the third undertaking have already been involved in activities affecting security or public order in a Member State; or~~

~~(c) — whether there is a serious risk that the natural person of a third country or the third undertaking engage in illegal or criminal activities.~~

~~6. — The Commission may provide an opinion pursuant to paragraph 4 no later than two months following the receipt of information pursuant to paragraph 3. The opinion of the Commission shall be addressed to the Member State where the project of common interest is planned and it shall be sent to the other Member States. In case the participation of or contribution of any kind by a natural person of a third country or an undertaking of a third country is a foreign direct investment as defined in point 1 of Article 2 of Regulation (EU) 2019/452 not undergoing screening by the Member State where the foreign direct investment is planned or completed, the Commission shall issue such opinion, where justified, pursuant to Article 8 of Regulation (EU) 2019/452.~~

~~7. — The Member State in which the project of common interest is planned to be implemented by, or with the participation of or contribution of any kind by a natural person of a third country or an undertaking of a third country shall take utmost account of the Commission's opinion and provide an explanation to the Commission if its opinion is not followed, no later than three months following the issuance of the opinion.~~

~~8. — The contact points established pursuant to Article 11(1) of Regulation (EU) 2019/452 shall be involved on all issues relating to the implementation of this Article.~~

~~9. — The secure and encrypted system established pursuant to Article 11(2) of Regulation (EU) 2019/452 shall be used to support direct cooperation and exchange of information between the contact points.~~

- ~~10. Member States and the Commission shall ensure the protection of confidential information acquired in application of this article in accordance with Union and the respective national law.~~
- ~~11. Member States and the Commission shall ensure that classified information provided or exchanged under this article is not downgraded or declassified without the prior written consent of the originator.~~
- ~~12. Any processing of personal data pursuant to this Article shall be carried out in accordance with Regulation (EU) 2016/679<sup>32</sup> and Regulation (EU) 2018/1725<sup>33</sup> and only in so far as it is necessary for the screening of the participation in, or contribution to, the relevant project of common interest and for ensuring the effectiveness of the cooperation provided for in this Article. Personal data related to the implementation of this Article shall be kept only for the time necessary to achieve the purposes for which they were collected.]~~

---

<sup>32</sup> ~~Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation) (OJ L 119, 4.5.2016, p. 1).~~

<sup>33</sup> ~~Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC (OJ L 295, 21.11.2018, p. 39).~~

### Maintenance and project life cycle

1. Without prejudice to **the responsibility of the Member States regarding the planning of the maintenance of infrastructure and their** ~~the competence of the Member States regarding the planning,~~ the management and the financing of the maintenance of infrastructure, and to the budgetary principle of annuality, where applicable, Member States shall **make all possible efforts to ensure:**

- (a) ~~make all possible efforts to ensure that~~ the infrastructure of the trans-European transport network is maintained in a way that it provides, during its lifetime, a high level of service and safety adapted to the traffic flow, **and improving its resilience,** and that preventive maintenance needs and estimated costs over the life-time of the trans-European transport infrastructure are taken into account in the planning phase of construction or upgrading;
- (b) ~~ensure that~~ long term maintenance plans for road and where relevant, for inland waterway infrastructure are set up three years following the date of entry into force of this Regulation, such plans may be part of a comprehensive long-term maintenance plan covering all transport modes, where applicable<sup>34</sup>;
- (c) deleted.
- (d) ~~ensure~~ consistency between the maintenance and renewal needs in the case of railway infrastructure related to the development of the trans-European network for transport and ~~reflected in~~ the indicative rail infrastructure development strategy referred to in Article 8(1) of Directive 2012/34/EU, ~~the business plan referred to in Article 8(3) of Directive 2012/34/EU~~ and the contractual agreement referred to in Article 30 of Directive 2012/34/EU.

<sup>34</sup>

Recital 64 to be amended as follows:

“While maintenance is and will remain the main responsibility of the Member States and without prejudice to the competence of Member States regarding in particular the financing and management of the maintenance, it is important that the trans-European transport network – once built – is properly maintained to ensure a high quality of services, following ~~. A~~ a life cycle approach ~~should be followed~~ when planning and procuring infrastructure projects. In particular, Member States should **make all possible efforts to** ensure that long term maintenance plans for road and where relevant, for inland waterway infrastructure are set up. Member States may rely in that respect on already existing plans.”

### **Accessibility for all users**

Trans-European transport infrastructure shall allow seamless mobility and accessibility for all users, in particular:

- people in situations of vulnerability including persons with disabilities or reduced mobility; and
- people living in outermost regions and other remote, rural, insular, peripheral and mountainous regions as well as sparsely populated areas.

## **CHAPTER V**

### ***IMPLEMENTATION OF THE INSTRUMENTS OF EUROPEAN TRANSPORT CORRIDORS AND HORIZONTAL PRIORITIES***

#### **The instrument of European Transport Corridors and horizontal priorities**

1. European Transport Corridors are an instrument to facilitate the coordinated implementation of **the parts of the core and extended core parts** of the trans-European transport-network and are intended, in particular, to improve cross-border links, to complete missing links and to remove bottlenecks within the Union.
2. In order to lead to resource-efficient multimodal transport and to contribute to cohesion through improved territorial cooperation, the European Transport Corridors shall be focused on:
  - (a) modal integration with a particular view to strengthen the most environmentally friendly transport modes, notably rail, inland waterways and short-sea shipping;
  - (b) interoperability;
  - (c) a coordinated development of infrastructure, in particular in cross-border sections, notably in view of developing an interoperable rail freight system as well as a



performant long-distance rail passenger network, including at high speed, across the Union;

- (d) supporting the coordinated and integrated development and deployment of innovative solutions for the digitalisation and interoperability of transport.
- (e) promoting the deployment of alternative fuels infrastructure.

3. European Transport Corridors shall enable Member States to achieve a coordinated and synchronised approach with regard to investment in infrastructure.
4. The ERTMS and the European Maritime Space are the two horizontal priorities for the implementation of the trans-European transport network. The instruments set up in accordance with this Chapter shall facilitate the timely deployment of ERTMS and the integration of maritime transport infrastructure and services into the trans-European transport network.

#### *Article 51*

#### **Coordination of European Transport Corridors and horizontal priorities**

1. In order to facilitate the coordinated implementation of the European Transport Corridors, of ERTMS and of the European Maritime Space, the Commission shall, in agreement with the Member States concerned, and after consulting the European Parliament and the Council, designate one European Coordinator for each Corridor and for each horizontal priority.

2. The European Coordinator shall be chosen, in particular, on the basis of his/her knowledge of matters relating to transport and/or to the financing and/or the socio-economic and environmental evaluation of major projects, as well as his/her experience with Union policy making. The European Coordinator shall be selected for a mandate of maximum of four years, renewable. The remit of the European Coordinator shall relate to the implementation of a single corridor or horizontal priority.
3. The Commission decision designating the European Coordinator shall specify how the tasks referred to in paragraphs 5, 6 and 7 are to be performed.
4. The European Coordinator shall act in the name and on behalf of the Commission, which shall provide the necessary secretarial assistance.
5. The European Coordinators shall:
  - (a) support the coordinated implementation of the European Transport Corridor or horizontal priority concerned;
  - (b) draw up a work plan together with the Member States concerned and monitor its implementation in accordance with Article 53;
  - (c) consult with the Corridor Forum or the consultative forum for the horizontal priorities respectively in relation to that work plan and its implementation and regularly inform the Forum on the implementation of the work plan;
  - (d) report to the Member States, to the Commission and, as appropriate, to all other entities directly involved in the development of the European Transport Corridor or horizontal priority on any difficulties encountered and, in particular when the development of a corridor or horizontal priority is being impeded, with a view to helping to find appropriate solutions;
  - (e) submit an annual status report to the European Parliament, the Council, the Commission and the Member States concerned on the progress achieved in implementing the European Transport Corridors and horizontal priorities. This annual status report shall focus on the progress made on key priorities and investments, describe the nature of problems encountered in their implementation and may suggest potential solutions.
6. Without prejudice to the competences of the rail freight governance under Regulation (EU) 913/2010 and to the competence of the Member States with respect to management

and financing of infrastructure, the European Coordinators of the European Transport Corridors shall:

- (a) cooperate closely with the rail freight governance and the Member States concerned to help identify priorities and investment needs for rail freight on the rail freight lines of the European Transport Corridors;
- (b) monitor the performance of rail freight services, in close cooperation with the rail freight governance and, if appropriate, identify potential barriers, such as technical and operational ones[, and make recommendations in this regard].

7. The European Coordinators of the European Transport Corridors shall:

- (a) cooperate closely with the Member States concerned in order to help identify priorities and investment needs for the rail passenger lines of the European Transport Corridors;
- (b) **in close cooperation with infrastructure managers,** monitor the performance of rail passenger services.

8. Pursuant Article 14(4) of Regulation (EU) No 2021/1153, the Commission shall request the consultative opinion of the European Coordinator when examining applications for Union funding under the Connecting Europe Facility (CEF) for European Transport Corridors or horizontal priorities in the remit of the European Coordinator's mandate, in order to ensure the consistency and advancement of each corridor or horizontal priority. The European Coordinator shall verify whether projects proposed by the Member States for CEF co-funding are consistent with the priorities of the work plan.

9. If the European Coordinator is unable to carry out his or her mandate satisfactorily and in accordance with the requirements laid down in this Article, the Commission may at any time after consulting the Member States concerned terminate that mandate and designate a new European Coordinator in accordance with the procedure set out in paragraph 1.

**Governance of European Transport Corridors and horizontal priorities**

1. For each European Transport Corridor and horizontal priority, the respective European Coordinator shall be assisted in the performance of his/her tasks concerning the work plan and its implementation by a secretariat and by a consultative forum, respectively the “Corridor Forum” and the “consultative Forum for the horizontal priority”.
2. The “Corridor Forum” shall be formally established and chaired by the European Coordinator. The Member States concerned shall agree on the membership of the Corridor Forum for their part of the European Transport Corridor and ensure representation of the rail freight governance.
3. With the agreement of the Member States concerned, the European Coordinator may set up and chair corridor working groups which focus on:
  - (a) interoperability and deployment of new technologies and infrastructure;
  - (b) the coordinated development and implementation of infrastructure projects in cross-border sections;
  - (c) cross-border passenger rail services;
  - (d) operational bottlenecks;
  - (e) urban nodes;
  - (f) cooperation with third countries;
  - (g) other topics deemed necessary.

**When relevant, the European Coordinator shall cooperate and coordinate with the rail freight governance on the activities of the working groups to avoid any duplication of work.**

4. The consultative Forum for the horizontal priority shall be established and chaired by the European Coordinator. The Member States concerned and, where appropriate and in agreement with Member States, representatives of the relevant sectors shall be able to participate. Member States shall designate a representative to attend the consultative Forum for ERTMS. The European Coordinator may also set up ad-hoc working groups.
5. The Member States concerned shall cooperate with the European Coordinator, participate in the Corridor Forum and the consultative forum for the horizontal priority and give the European Coordinator the information required in order to perform the tasks laid down in this Article, including information on the development of corridors in the relevant national plans and programmes contributing to the development of the Trans-European Transport network.
6. The European Coordinator may consult regional and local authorities, infrastructure managers, transport operators, in particular those which are members of the rail freight governance, the supply industry, transport users and relevant stakeholders in relation to the work plan and its implementation. In addition, the European Coordinator responsible for ERTMS shall closely cooperate with the European Union Agency for Railways and Europe's Rail Joint Undertaking and the European Coordinator for the European Maritime Space with the European Maritime Safety Agency.

### *Article 53*

#### **Work plan of the European Coordinator**

1. Each European Coordinator of the European Transport Corridors and the two horizontal priorities shall draw up, at the latest two years after the entry into force of this Regulation and thereafter every four years, a work plan that provides a detailed analysis of the state of implementation of the corridor or horizontal priority under his/her competence and its compliance with the requirements of this Regulation as well as the priorities for its future development.

2. The work plan shall be prepared in close cooperation with the Member States concerned and in consultation of the Corridor Forum and rail freight governance, or consultative forum of the horizontal priority. The work plan of the European Transport Corridors shall be approved by the Member States concerned. The Commission shall submit the work plan to the European Parliament and the Council for information.

When drafting the work plan, the European Coordinator shall take into account the implementation plan as referred to in Article 9 of Regulation (EU) 913/2010.

3. The work plan for the European Transport Corridor shall provide a detailed analysis of the state of implementation of the corridor concerned, which includes in particular:
- (a) a description of the characteristics of the corridor, in particular the cross-border sections;
  - (b) an analysis of the state of compliance of the corridor with the transport infrastructure requirements of this Regulation and its related progress achieved;
  - (c) an identification of the missing links and bottlenecks hampering the development of the corridor;
  - (d) an analysis of the investments required, including the different financing and funding sources committed and/or envisaged for the implementation of the projects needed for the development and completion of the corridor; **in particular the cross-border sections;**
  - (e) a description of possible solutions to address the investment needs and bottlenecks, in particular for the passenger and freight lines and links of the corridor;
  - (f) a plan, that may contain intermediate non-binding milestones, for the removal of physical, technical, digital, operational and administrative barriers between and within transport modes and for the enhancement of efficient multimodal transport with particular attention to cross-border sections and national missing links.

For the analysis of the investments and the preparation of the plan, the European Coordinator shall:

- cooperate with the executive board and the management board of the corridor referred to in Article 11 of Regulation (EU) No 913/2010 for the aspects related to rail freight;

- take into account the corridor relevant elements of the analysis, the action plans-elaborated by the Member States pursuant to Article 35(4) and the list referred to in Article 18, point (b), of Regulation (EU) No 913/2010 for the aspects related to the multimodal freight terminals.
  - take into account the results of the monitoring performed in accordance with article 51, paragraph 7, point (b) for the aspect related to passenger services.
- (g) the results of the performance monitoring of rail freight traffic undertaken by the rail freight governance in accordance with Article 19(2) of Regulation (EU) No 913/2010 and the list of corridor objectives, targets and measures defined in accordance to Article 9(1) of Regulation (EU) No 913/2010, as means to reach the operational requirements of Article 18 of this Regulation;
- (h) ~~in cooperation with the Member States concerned and relevant local authorities~~ an identification of measures in urban nodes, **in cooperation with the Member States concerned and relevant local authorities**, which can contribute to the effective functioning of the freight and passenger transport on the corridor and the achievement of the objectives of the trans-European transport network, while being consistent with relevant SUMP.
- (i) an identification, established with the Member States concerned, of priorities for the development of the corridor;
- (j) an analysis of the possible impacts of climate change on the infrastructure and, where appropriate, proposed measures to enhance resilience to climate change;
- (k) measures to be taken in order to mitigate greenhouse gas emissions, noise and, as appropriate, other negative externalities.
4. The European Coordinator ~~may offer~~ **shall** support to Member States in implementing the work plan, in particular as regards:
- (a) ~~at the request of the Member States concerned,~~ the priority setting in national planning, by helping to identify implementation problems and bottlenecks, including operational issues, on each corridor or for each horizontal priority;
  - (b) ~~at the request of the Member States concerned,~~ the project and investment planning, the related costs and implementation timeline estimated to implement the European Transport Corridors or horizontal priority;



- (c) the work in the supervisory body or a similar steering body of a single entity, where relevant, for the coordination, construction and/or management of cross-border infrastructure projects, in accordance with the provisions set out in Article 8(5).

#### *Article 54*

### **Implementing acts**

1. [Building on the analysis of the first work plan of the European Coordinators adopted after the entry into force of this Regulation, the Commission shall, subject to the approval of the Member States concerned in accordance with Article 172 TFEU, adopt an implementing act for each European Transport Corridor.] The implementing act shall ensure a coherent priority setting of infrastructure and investment planning by setting indicative milestones for the implementation of major missing links, bottlenecks and cross-border sections. It shall be elaborated in close collaboration with the Member States concerned and updated every four years or upon the request of Member States].
2. Without prejudice to Article 8(4a), and subject to the approval of the Member States concerned in accordance with Article 172 TFEU, the Commission may adopt implementing acts for the implementation of ~~specific sections of the European Transport Corridor, in particular for complex~~ cross-border sections **of the European Transport Corridors**, or for the implementation of the horizontal priorities.
3. The implementing acts referred to in paragraphs [1 and] 2 shall be adopted in accordance with the examination procedure referred to in Article 59(3). The Commission shall amend the implementing acts in accordance with the same procedure to take into account the progress made, delays encountered or updated national programmes.

4. Until full implementation of the measures provided for in the implementing act and unless provided otherwise in the implementing act, the Member States concerned shall communicate every two years to the Commission a report on the progress achieved, indicating in particular the financial commitments made in the national budget plan. The report may refer to the information gathered in accordance with Article 55.

## CHAPTER VI

### *COMMON PROVISIONS*

#### *Article 55*

#### **Reporting and monitoring**

- 1.** Member States shall inform the Commission on a regular, comprehensive and transparent basis about the progress made in completing the trans-European transport network through the implementation of projects of common interest and the investments made for that purpose.

This information shall include yearly technical data related to the ~~compliance of the network with the~~ transport infrastructure requirements laid down in Chapter III of this Regulation unless such information has already been gathered at the level of the trans-European transport network for the purposes of other Union applications or databases.

This transmission shall be ensured in an automated way through the interactive geographical and technical information system for the trans-European transport network (TENtec). Until the automated data exchange functionality in TENtec is fully operational, this transmission shall be ensured every two years.

As regards investments related to projects of common interest, Member States shall transmit financial data every two years in the form of yearly-aggregated data per transport mode and per network (core, extended core and comprehensive).

The Commission shall specify by means of implementing acts adopted in accordance with the examination procedure referred to in Article 59(3), the list of technical data to be transmitted pursuant to the first subparagraph.

2. The Commission shall ensure that TENtec is publicly and easily accessible, allowing for an automated data exchange with national systems and other relevant Union applications and data sources. TENtec shall contain project-specific and updated information on the forms and amounts of Union co-funding as well as on the progress of each project.  
  
The Commission shall also ensure that TENtec does not make publicly available any information which is confidential or which could prejudice or unduly influence any process of public procurement in a Member State.
3. The Commission and the Member States shall **make all possible efforts to** ensure the quality, completeness and consistency of the data in the TENtec information system. They shall cooperate in view of allowing an automated data exchange between national systems and data sources and TENtec.

#### *Article 56*

#### **Updating of the network**

1. Subject to the second paragraph of Article 172 TFEU, the Commission is empowered to adopt delegated acts in accordance with Article 60 to amend Annexes I and II, in order to:
  - (a) take account of changes resulting from the quantitative thresholds laid down in Articles 20(3)(a), 24(4) and 32(2). In that respect, the Commission shall:
    - (i) include inland ports, maritime ports and airports in the comprehensive network, if it is demonstrated that the latest three-year average of their traffic volume exceeds the relevant threshold;
    - (ii) exclude maritime ports and airports from the comprehensive network, if it is demonstrated that the average of their traffic volume over the last six years is below 85% of the relevant threshold or at the request of the Member State concerned;
  - (b) include urban nodes in the trans-European transport network, if it is demonstrated that they meet the requirements set out in Article 39(2) or exclude urban nodes from the trans-European transport network at the request of the Member State concerned;
  - (c) include in the trans-European transport network rail road terminals identified by the Member State according to Article 35(~~54~~) or exclude rail road terminals from the trans-European transport network at the request of the Member State concerned;

- (d) adjust, on the basis of the information provided by the Member States concerned in accordance with Article 55(1), the maps for road, railway and inland waterway infrastructure in a strictly limited way so as to reflect progress made in completing the network. In adjusting those maps, the Commission shall not admit any adjustment in route alignment beyond that which is allowed by the relevant project authorising decision.

The adaptations referred to in points (a) and (b) of the first subparagraph shall be based on the latest available statistics published by Eurostat or, if those statistics are not available, by the national statistics offices of the Member States.

**1.a. The delegated act including a urban node in Annex II pursuant to paragraph 1(b) shall:**

**a) extend the deadlines laid down by Article 40(1)(b) and (c) by 3 years, until 31 December 2030 and 31 December 2033 respectively; for those urban nodes included in Annex II after the deadlines laid down in Article 40(1)(b) or (c) have expired, those deadlines shall be extended by 3 years after the entry into force of that delegated act.**

**b) extend the applicable deadline for meeting the requirements under Article 40(1)(d) by 5 years, until 31 December 2045; for those urban nodes included in Annex II after the deadline laid down in Article 40(1)(d) has expired, that deadline shall be extended by 5 years after the entry into force of that delegated act.**

**1.b The delegated act including a rail-road terminal in Annexes I and II pursuant to paragraph 1(c) shall:**

**a) extend the deadlines laid down by Article 37(1)(c) and Article 37(2) by 3 years, until 31 December 2033; for those rail-road terminals included in Annexes I and II after the deadlines laid down in Article 37(1)(c) and Article 37(2) have expired, those deadlines shall be extended by 3 years after the entry into force of that delegated act.**

**b) extend the deadline laid down by Article 37(3) by 5 years, until 31 December 2045; for those rail-road terminals included in Annexes I and II after the deadline laid down in Article 37(3) has expired, that deadline shall be extended by 5 years after the entry into force of that delegated act.**

2. A project of common interest concerning infrastructure which is newly included through a delegated act adopted pursuant to paragraph 1 in the trans-European transport network shall be eligible for Union financial assistance under the instruments available for the trans-European transport network as from the date of entry into force of that delegated acts. Projects of common interest concerning infrastructure which have been excluded from the trans-European transport network shall cease to be eligible as from the date of entry into force of the delegated acts adopted pursuant to paragraph 1 of this Article. The cessation of eligibility shall not affect financing or grant decisions taken by the Commission before that date.
3. Subject to Article 172(2) TFEU, the Commission is empowered to adopt delegated acts in accordance with Article 60 to amend Annex IV in order to include or adapt indicative maps of transport infrastructure networks of neighbouring countries. Such delegated acts shall be based on high-level agreements on transport infrastructure networks between the Union and the neighbouring countries concerned.

#### *Article 57*

### **Engagement with public and private stakeholders**

National procedures regarding the involvement and consultation of regional and local authorities and civil society concerned by a project of common interest shall be complied with, where appropriate, in the planning and construction phase of a project. The Commission shall promote the exchange of good practice in this regard, notably as regards the consultation and inclusion of people in situations of vulnerability.

#### *Article 58*

### **Alignment of national plans with Union transport policy**

1. Member States shall ensure that national plans and programmes contributing to the development of the trans-European transport network are coherent with Union transport policy, with the priorities and deadlines set out in this Regulation. They shall also take into account, **inter alia**, the priorities set out in the work plans for the relevant corridors and horizontal priorities for the concerned Member States [and with the implementing acts adopted in accordance with Article 54(1)].

2. Deleted.
3. Member States shall provide the Commission with the relevant draft national plan(s) or programme(s) contributing to the development of the trans-European transport network or an abstract thereof, and any significant modification of those as soon as **possible after** a consultation of this plan or programme is launched. The Commission may issue, if possible before their adoption, ~~an~~ **non-binding** opinion on the coherence of the draft national plan(s) or programme(s) with the priorities set out in this Regulation and with the priorities set out in the work plans for the relevant corridor and of the horizontal priorities [and in the implementing acts adopted in accordance with Article 54(1)]. The Member States shall **provide** ~~notify to~~ the Commission **with** the final national plan(s) or programme(s) once adopted.

#### *Article 59*

#### **Committee procedure**

1. The Commission shall be assisted by a committee. That committee shall be a committee within the meaning of Regulation (EU) No 182/2011.
2. For the purpose of Article 22(3) and (5) the Commission shall be assisted by the Committee established pursuant to Article 7 of Council Directive 91/672/EEC<sup>35</sup>.
3. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply. Where the committee delivers no opinion, the Commission shall not adopt the draft implementing act and the third paragraph of Article 5(4) of Regulation (EU) No 182/2011 shall apply.

#### *Article 60*

#### **Exercise of delegation**

1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.

---

<sup>35</sup> Council Directive 91/672/EEC of 16 December 1991 on the reciprocal recognition of national boatmasters' certificates for the carriage of goods and passengers by inland waterway (OJ L 373, 31.12.1991, p. 29).

2. The power to adopt delegated acts referred to in Article 11(3), 56(1) and (3) shall be conferred on the Commission for a period of five years from [...]. The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.
3. The delegation of powers referred to in Article 11(3), 56(1) and (3) may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the *Official Journal of the European Union* or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.
- 3a. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making.
4. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.
5. A delegated act adopted pursuant to Article 11(3), 56(1) and (3) shall enter into force only if no objection has been expressed either by the European Parliament or by the Council within a period of two months of the notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.

#### *Article 61*

#### **Review**

1. By 31 December 2033, the Commission, having consulted with Member States as appropriate and with the assistance of the European Coordinators, shall carry out an assessment of the implementation of the core network, evaluating in particular its compliance with the requirements of this Regulation.

The assessment shall take into account the annual status report and the work plans drawn up by the European Coordinators pursuant to Article 51(5), point (e) and Article 53(1) respectively.

2. By 31 December 2033, the Commission, having consulted with Member States as appropriate and with the assistance of the European Coordinators, shall carry out a review of the implementation of the extended core and the comprehensive network, evaluating:
  - (a) compliance with this Regulation;
  - (b) progress in the implementation of this Regulation;
  - (c) changes in passenger and freight transport flows;
  - (d) developments in national transport infrastructure investment;
  - (e) the need for amendments to this Regulation.

The evaluation shall also consider the impact of evolving traffic patterns and relevant developments in infrastructure investment plans.

3. When carrying out that review, the Commission shall evaluate whether the extended core and the comprehensive network as provided for in this Regulation is likely to comply with the provisions of Chapters II, III and IV by the deadlines of 31 December 2040 and 31 December 2050, as applicable, while taking into account the economic and budgetary situation in the Union and in individual Member States. The Commission shall also evaluate, in consultation with the Member States, whether the extended core network and the comprehensive network should be modified to take into account developments in transport flows and national investment planning.

#### *Article 62*

### **Delay in completion of the core network, the extended core network and the comprehensive network**

1. In the event of significant delay in starting or completing work on the core network, extended core network and on the comprehensive network [compared to the indicative timeline set in implementing acts in accordance with Article 54], the Commission may ask the Member State or Member States concerned to provide the reasons for the delay. Such reasons shall be provided by the Member State or Member States within three months of



the request. On the basis of the reply given, the Commission shall consult the Member State or Member States concerned in order to resolve the problem that has caused the delay.

2. In case the delayed section concerns a European Transport Corridor, the European Coordinator shall be involved in view of supporting Member States in resolving the problem.
3. Without prejudice to the procedure laid down in Article 258 TFEU and to Article 8(4a), the Commission may, after considering the reasons provided by the Member State or Member States concerned pursuant to the first paragraph, in case the significant delay in starting or completing the work on the core network, extended core network or on the comprehensive network is attributable to the Member State or Member States **without adequate justification**, issue an opinion together with recommendations for the Member State or Member States concerned, where relevant, to adopt within 12 months measures in view of eliminating that delay **and/or preventing or reducing further delays**.
4. Deleted.

#### *Article 63*

#### **Exemptions**

The provisions relating to railways, and in particular any requirement to connect airports and ports to railways as well as the provisions related to safe and secure parking and multimodal freight terminals shall not apply to Cyprus, Malta and outermost regions for as long as no railway system is established within their territory.

#### *Article 64*

#### **Amendments to Regulation (EU) 2021/1153**

Annex to Regulation (EU) 2021/1153 is amended in accordance with Annex VI to this Regulation.

---