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#### 'I/A' ITEM NOTE

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From: General Secretariat of the Council  
To: Permanent Representatives Committee/Council

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Subject: Draft REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on the use of railway infrastructure capacity in the single European railway area, amending Directive 2012/34/EU and repealing Regulation (EU) No 913/2010 (**first reading**)  
- Adoption of the Council's position at first reading and of the statement of the Council's reasons

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1. On 11 July 2023, the Commission submitted its proposal<sup>1</sup>, based on Article 91 TFEU, to the Council.
2. The European Economic and Social Committee delivered its opinion on 25 October 2023<sup>2</sup>.
3. The Committee of the Regions delivered its opinion on 1 February 2024<sup>3</sup>.
4. The European Parliament adopted its position at first reading on 12 March 2024<sup>4</sup>.

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<sup>1</sup> 11718/23 + ADD 1 to 4.

<sup>2</sup> OJ C, C/2024/891, 6.2.2024, ELI: <http://data.europa.eu/eli/C/2024/891/oj>.

<sup>3</sup> OJ C, C/2024/1982, 18.3.2024, ELI: <http://data.europa.eu/eli/C/2024/1982/oj>.

<sup>4</sup> 10678/24.

5. The Permanent Representatives Committee confirmed on 19 December 2025 the provisional agreement reached by the co-legislators on the above Regulation<sup>5</sup>, after informal contacts had taken place between the Council and the European Parliament.
6. On 27 January 2026, the European Parliament's Committee on Transport and Tourism (TRAN) confirmed the provisional agreement and its Chair subsequently sent a letter to the Chair of the Permanent Representatives Committee stating that the European Parliament should, at its second reading, approve the Council's position at first reading (following a legal-linguistic revision) without amendments<sup>6</sup>.
7. The Permanent Representatives Committee is asked to suggest that the Council adopt its position at first reading, as set out in 16833/25, and the statement of reasons, as set out in 16833/25 ADD 1 + COR 1, as an 'A' item at a forthcoming meeting.
8. The statement for the minutes of the Council is set out in the Addendum to this note.

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<sup>5</sup> 16098/25 + ADD 1.

<sup>6</sup> 7057/26.