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#### NOTE

From:	General Secretariat of the Council
To:	Working Party on Transport - Intermodal Questions and Networks
N° prev. doc.:	ST 7456/1/22 REV 1
N° Cion doc.:	ST 15109/21
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 - Comments by Ireland on Sections 3, 6 and 7 of Chapter III

Delegations will find attached comments by Ireland on Sections 3, 6 and 7 of Chapter III as presented in ST 7456/1/22 REV 1.

In relation to the Presidency compromise text (7456/1/22 REV 1) on Sections 3, 6, and 7 of Chapter III of the proposal to revise the TEN-T Regulation, please find the below written comments from IRELAND

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## CHAPTER III

### *SPECIFIC PROVISIONS*

#### *SECTION 3*

#### *MARITIME TRANSPORT INFRASTRUCTURE AND THE EUROPEAN MARITIME SPACE*

##### *Article 24*

##### **Infrastructure components**

3. Maritime transport infrastructure referred to in point (a) of paragraph 2 shall comprise, in particular:

[...]

**(new) infrastructure facilitating port activities related to offshore wind farms and renewable energy**

4. In order to be part of the comprehensive network, a maritime port shall meet at least one of the following conditions:

[...]

**(new)**

**Commented [A1]:** Propose to add this point to align with the inclusion of ORE facilities in the 2021-2027 CEF MAP, to enhance the synergies between CEF Transport and Energy and to recognise the critical role ports will play in supporting the development and operation of offshore renewable energy and their potential to generate green hydrogen

**Commented [A2]:** Criteria should be included to enable ports with high ORE/renewable energy to be included in the network

*Article 25*

**Transport infrastructure requirements for the comprehensive network**

2. Member States shall ensure that, by 31 December 2050:

[...]

- (c) sea canals, port fairways and estuaries **that** connect two seas, or provide access from the sea to maritime ports ~~and~~ correspond at least to inland waterways that meet the requirements of Article 22;

**Commented [A3]:** Editorial change proposed for clarity, current text does not make sense

**SECTION 6**

**INFRASTRUCTURE FOR MULTIMODAL FREIGHT TERMINALS**

*Article 35*

**Identification of the multimodal freight terminals**

1. The multimodal freight terminals of the trans-European transport network are terminals that are:

- (a) located ~~in~~ **at** the maritime ports of the trans-European transport network, as listed in Annex II;

[...]

- (c) located within or in the vicinity of an urban node, as listed in Annex II; or

**Commented [A4]:** Propose a change so that terminals adjacent to ports but not owned by ports can be included

**Commented [A5]:** Further consideration of this text required if any multimodal freight terminal in or near an urban node is automatically added to the network

Article 37

Transport infrastructure requirements

5. **The following exemptions apply:**

- (a) **multimodal freight terminals which are connected to isolated rail networks are exempted from the requirements under paragraphs 3 and 4:**

- (b) At the request of a Member State, in duly justified cases, exemptions from the obligations under paragraphs 1 to 4 shall be granted by the Commission by means of implementing acts on the ground of specific geographical or significant physical constraints, in particular when the terminal is located in spatially restricted area, or negative socio-economic cost-benefit analysis or potential negative impacts on environment or biodiversity. Any such request shall be substantiated with sufficient evidence. A Member State may request the granting of several exemptions in a single request. The Commission shall inform other Member States of the exemptions granted pursuant to this paragraph. ~~At the request of a Member State, in duly justified cases, exemptions from the obligations under paragraphs 1 to 4 may be granted by the Commission by means of implementing acts where investment in infrastructure cannot be justified in socio-economic cost-benefit terms, in particular when the terminal is located in a spatially restricted area.~~

**Commented [A6]:** An explicit exemption for MS with isolated networks from requirements to serve 740m trains is required.

Per article 16(3)(a) isolated networks are exempted from the requirement to serve 740m trains. Thus it makes no sense to require isolated networks to serve such trains at freight hubs.

*Article 38*

**Additional priorities for multimodal transport infrastructure development**

In the promotion of projects of common interest related to multimodal transport infrastructure, and in addition to the general priorities set out in Articles 12 and 13, attention shall be given to the following:

[...]

- (e) promoting, where appropriate, that private sidings on the trans-European transport network allow for the handling of 740 m **long** trains without manipulation.

**Commented [A7]:** EDITORIAL – should read “740m **long** trains”