Council of the European Union
General Secretariat

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**Brussels, 26 September 2025**

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**CONTRIBUTION**

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| From: | General Secretariat of the Council |
| To: | Ad Hoc Working Party on the Connecting Europe Facility (AHWP CEF) |
| N° prev. doc.: | ST 12888/25 |
| N° Cion doc.: | ST 11711/25 + ADD 1 |
| Subject: | Proposal for a Regulation of the European Parliament and of the Council establishing the Connecting Europe Facility for the period 2028-2034, amending Regulation (EU) 2024/1679 and repealing Regulation (EU) 2021/1153<br>- Comments from Lithuania |

Delegates will find attached comments from **Lithuania** on the subject above.

**Connecting Europe Facility Regulation - Comments on the Presidency compromise (ST 12888/25 INIT)** Deadline: ***26 September 2025, 12:00***

**Guidelines to be followed**

*Please kindly provide your contributions in the table below.*
***Drafting suggestions:*** you may use '**track changes**'* or formatting (for example **bold-underline** for additions and ~~strike-through~~ for deletions, **where necessary, in a different colour**). *Track changes can only be connected once the cursor is placed in editable areas (Drafting or Comments columns).
To make it feasible to consolidate all contributions, the structure of the table must not be changed, so **no rows can be added or deleted.**
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***Name of document:*** please add the **two initials** of your delegation's country followed by a space (to the MS Word document name), followed by any optional text, for example, for Austria: **AT comments on … .docx**
Thank you for your cooperation!

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| **General Comments** | | |
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| 2025/0221 (COD) | | |
| Proposal for a | | |
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| **REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL** | | |
| | | |
| **establishing the Connecting Europe Facility for the period 2028-2034, amending Regulation (EU) 2024/1679 and repealing Regulation (EU) 2021/1153** | | |
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| *Article 1*<br>***Subject matter*** | | |
| | | |
| This Regulation establishes the Connecting Europe Facility (the 'Programme') and lays down the objectives of the Programme, its budget [for the period 2028-2034], the forms of Union funding and the rules for providing such funding. | | |
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| *Article 2*<br>***Definitions*** | | |
| | | |
| For the purpose of this Regulation, the following definitions apply: | | |
| | | |
| 1. 'action' means any activity which has been identified as financially and technically independent, has a set timeframe and is necessary for the implementation of a project; | | |
| | | |
| **1a. 'beneficiary' means an entity with legal personality with which a grant agreement has been signed;** | | |
| | | |
| 2. 'trans-European transport network' means the trans-European transport network referred to in Regulation (EU) 2024/1679; | | |
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| 3. 'project of common interest' means a project of common interest as defined in Article 3, point (1), of Regulation (EU) 2024/1679 or Article 2, point (5), of Regulation (EU) 2022/869; | | |
| | | |
| 4. 'sustainable trans-European transport network' means a trans-European transport network fulfilling the requirements laid down in Articles 5 and 45 of Regulation (EU) 2024/1679; | | |
| | | |
| 5. 'smart trans-European transport network' means a trans-European transport network fulfilling the requirements laid down in Articles 43 and 45 of Regulation (EU) 2024/1679 | | |
| | | |
| 6. 'resilient trans-European transport network' means a trans-European transport network fulfilling the requirements laid down in Article 46 of Regulation (EU) 2024/1679; | | |
| | | |
| 7. 'military mobility' means the ability of the European Union and its Member States to rapidly and effectively transport, move, and deploy military personnel, equipment, and supplies within and across the borders of Member States, ensuring timely and effective response of Member States Armed forces; | | |
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| **7a. 'dual-use of the transport infrastructure' means a transport network infrastructure that addresses both civilian and military mobility;** | | |
| | | |
| 8. 'studies' means activities needed to prepare project implementation, such as preparatory, mapping, feasibility, evaluation, testing and validation studies, including in the form of software, and any other technical support measure, including prior action to define and develop a project and decide on its financing, such as reconnaissance of the sites concerned and preparation of the financial package; | | |
| | | |
| 9. 'works' means the purchase, supply and deployment of components, systems and services including software, the carrying out of development and construction and installation activities relating to a project, the acceptance of installations and the launching of a project; | | |
| | | |
| **9a. 'global project' means a large-scale cross-border project that is broken down into several actions and that benefits from several grant agreements;** | **9a. 'global project' means a large-scale <u>project with</u> cross-border <u>dimension</u> ~~project~~ that is broken down into several actions and that benefits from several grant agreements;** | Alignment with Article 3(2)(a)(i) paragraphs 1-3 of the initial COM proposal. |
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| 10. 'project of mutual interest' means a project of mutual interest as defined in Article 2, point (6), of Regulation (EU) 2022/869; | | |
| | | |
| 11. 'cross-border project in the field of renewable energy' means any of the following: | | |
| | | |
| (a) a project for the production of renewable energy which is included in a cooperation agreement within the meaning of Articles 8, 9, 11 or 13 of Directive (EU) 2018/2001; | | |
| | | |
| (b) a storage project, including co-located energy storage within the meaning of Article 2, point (44d), of Directive (EU) 2018/2001, that supports the integration of renewable energy into the energy system of the Union, except for energy storage facilities within the meaning of Annex II, point (1)(c), of Regulation (EU) 2022/869 and that is included in a similar arrangement between two or more Member States, or between one or more Member States and one or more third countries. | | |
| | | |
| *Article 3*<br>***Programme objectives*** | | |
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| *1.* The general objectives of the Programme are to build, develop, secure, modernise and complete the trans-European networks in the transport and energy sectors, with the intention of supporting a functioning**, competitive** single market and fostering cohesion; to facilitate military mobility on the trans-European transport networks; to facilitate cross-border cooperation in the field of renewable energy; and to facilitate synergies among the transport and energy sectors. | 1. The general objectives of the Programme are to build, develop, secure, **protect**, modernise and complete the trans-European networks in the transport and energy sectors, with the intention of supporting a functioning single market and fostering cohesion; to facilitate military mobility on the trans-European transport networks; to facilitate cross-border cooperation in the field of renewable energy; **to ensure physical and cyber protection and resilience of existing and planned critical energy and transport infrastructure**; and to facilitate synergies among the transport and energy sectors. | We suggest outlining clearly that TEN-T network must have a built-in element of resilience and protection against hybrid threats. In both sectors, continuity of services depends directly on the status and resilience of the infrastructure. Disruption of services on Trans-European networks of energy and transport will have an immediate European effect, affecting not only neighbouring Member States, but also entire EU regions.<br>A separate provision within the CEF regulation will allow not only effective implementation of necessary measures, but also enable the flexibility of the Programme, enabling it to tackle any challenge disrupting services on the energy or transport sector. |
| | | |
| 2. The Programme has the following specific objectives: | | |
| | | |
| (a) in the transport sector: | | |
| | | |
| (i) to contribute to the development of projects of common interest relating to **efficient,** interconnected, interoperable, decarbonised, smart, safe, sustainable, resilient, secure and multimodal transport networks in accordance with Regulation (EU) 2024/1679, in particular through: | (i) to contribute to the development of projects of common interest relating to interconnected, interoperable, decarbonised, smart, safe, sustainable, resilient, secure and multimodal transport networks in accordance with Regulation (EU) 2024/1679, **as well as ensuring physical and cyber protection of existing and planned critical** | As above |

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| | **energy and transport infrastructure**, in particular through: | |
| | | |
| (1) actions relating to the projects of common interest with cross-border dimension implementing the trans-European transport network, including actions on the indicative sections listed in the Annex to this Regulation; | | |
| | | |
| (2) actions relating to the projects of common interest ~~with Union dimension~~ relating to the completion of a smart, resilient, decarbonised and sustainable trans-European transport network; | | |
| | | |
| (3) actions relating to the projects of common interest with cross-border dimension with third countries implementing the trans-European transport network in accordance with Article 9 of Regulation (EU) 2024/1679; | | |
| | | |
| (ii) to adapt parts of the trans-European transport network for the dual use of the transport infrastructure with a view to improving both civilian and military mobility, focusing on the four EU Priority Military Mobility Corridors identified ~~by Member States~~ in Annex II to the **'**Military Requirements for Military Mobility within and beyond the **EU'**~~Union~~, ~~as~~ approved by the Council | | |

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| on 17~~8~~ March 2025 and **in any subsequent document revising those requirements approved thereafter**~~with reference ST 6728/25 ADD1~~; | | |
| | **(iii) to support investment in the protection and resilience of existing and planned critical energy and transport infrastructure, including through enhanced physical protection, preparedness and cybersecurity measures, with a view to strengthening resilience of TEN-T network and the Union's energy security, by ensuring the continuity of energy supply, enhancing its ability to prevent, withstand and recover from disruptions and threats, including those of a hybrid nature with a particular focus on cross-border and regionally significant assets, including interconnectors and transmission systems ;**<br><br>**(aa) Activities will be implemented in complementarity with Regulation (EU) [XXX] [*ECF*].** | The (aa) part replicates the provision of Article 49(2) of the draft regulation establishing the ECF.<br><br>Volatile and tense geopolitical situation in Europe demands us to devote necessary resources and efforts to ensure the protection of critical energy infrastructure. Dedicated funding for the protection of critical energy infrastructure should be one of the main priorities in the next MFF. Russia's full-scale war against Ukraine serves as a stark reminder that the security, resilience, and reliability of energy systems are under constant threat, especially at the border regions adjacent to Russia and Belarus. Russia's continuing attacks on Ukrainian energy infrastructure, recent accidents of Russia's drones entering Lithuanian, Polish, Danish, Romanian airspace once again demonstrate urgent need to be prepared to withstand threats for our critical energy security. Assets like pipelines, LNG terminals, interconnections and substations are now strategic targets, requiring urgent protection to ensure energy security and EU competitiveness. |
| (b) in the energy sector, | | |
| | | |
| (i) to contribute to the development of projects of common interest and projects of mutual interest | i) to contribute to the development of projects of common interest and projects of mutual interest as set out in Article 18 of Regulation (EU) | We would like to emphasize the importance of physical and cyber protection of developed infrastructure. |

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| as set out in Article 18 of Regulation (EU) 2022/869, with a view to promoting the completion of the Energy Union, the integration of an efficient and competitive internal energy market, and the interoperability of networks across borders and sectors, to facilitating decarbonisation of the economy, to promoting energy efficiency and to ensuring resilience and security of supply; | 2022/869, with a view to promoting the completion of the Energy Union, the integration of an efficient and competitive internal energy market, and the interoperability of networks across borders and sectors, to facilitating decarbonisation of the economy, to promoting energy efficiency and to ensuring resilience and security of supply**, while ensuring physical and cyber protection of existing and planned critical energy infrastructure**; | |
| | | |
| (ii) to facilitate cross-border cooperation in the field of renewable energy, through the support of cross-border projects in the field of renewable energy or through competitive bidding for new renewable energy projects under the Union renewable energy financing mechanism established by Article 33 of Regulation (EU) 2018/1999, where the conditions referred to in of Article 11(5) of this Regulation are met, with a view to achieving the Union's objectives in terms of decarbonisation, competitiveness, completion of the internal energy market, resilience and security of supply in a cost-efficient manner. | | |
| | **(iii) to support investment in the protection and resilience of existing and planned critical energy infrastructure, including through enhanced physical protection, preparedness and cybersecurity measures, with a view to strengthening the Union's energy security, ensuring the continuity of energy supply, and** | Volatile and tense geopolitical situation in Europe demands us to devote necessary resources and efforts to ensure the protection of critical energy infrastructure. Dedicated funding for the protection of critical energy infrastructure should be one of the main priorities in the next MFF. Russia's full-scale war against Ukraine serves as a stark |

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| | **enhancing the ability to prevent, withstand and recover from disruptions and threats, including those of a hybrid nature, with a particular focus on cross-border and regionally significant assets, including interconnectors and transmission systems;** | reminder that the security, resilience, and reliability of energy systems are under constant threat, especially at the border regions adjacent to Russia and Belarus. Russia's continuing attacks on Ukrainian energy infrastructure, recent accidents of Russia's drones entering Lithuanian, Polish, Danish, Romanian airspace once again demonstrate urgent need to be prepared to withstand threats for our critical energy security. Assets like pipelines, LNG terminals, interconnections and substations are now strategic targets, requiring urgent protection to ensure energy security and EU competitiveness. |
| [*Article 4*<br>***Budget*** | | |
| | | |
| 1. The indicative financial envelope for the implementation of the Programme for the period 2028- 2034 is set at EUR 81 428 000 000 in current prices. | | |
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| 2. The distribution of the amount referred to in paragraph 1 shall be indicatively as follows: | | |
| | | |
| (a) EUR 51 515 000 000 for the specific objectives on transport and military mobility referred to in Article 3(2), point (a); | | |
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| (b) EUR 29 912 000 000 for the specific objectives on energy referred to in Article 3(2), point (b). | | |
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| 3. Budgetary commitments for activities extending over more than one financial year may be broken down over several years into annual instalments. | | |
| | | |
| 4. Appropriations may be entered in the Union budget beyond 2034 to cover the expenses necessary and to enable the management of actions not completed by the end of the Programme. | | |
| | | |
| 5. The financial envelope referred to in paragraph 1 of this Article and the amounts of additional resources referred to in Article 5 may also be used for technical and administrative assistance for the implementation of the Programme and of the sector-specific guidelines in Regulation (EU) 2024/1679 or Regulation (EU) 2022/869, such as preparatory, monitoring, control, audit and evaluation activities, corporate information technology systems and platforms, information and communication activities, including corporate communication on the political priorities of the Union, and all other technical and administrative assistance or staff-related expenses incurred by the | | |

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| Commission for the management of the Programme.] | | |
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| *Article 5*<br>***Additional resources*** | | |
| | | |
| 1. Member States, Union institutions, bodies and agencies, third countries, international organisations, international financial institutions, or other third parties may make additional financial or non-financial contributions to the Programme, without prejudice to Articles 107 and 108 TFEU. Additional financial contributions shall constitute external assigned revenue within the meaning of Article 21(2), points (a), (d), or (e), or Article 21(5) of Regulation (EU, Euratom) 2024/2509. | | |
| | | |
| 2. Resources allocated to Member States under shared management may, at their request, be made available to the Programme. The Commission shall implement those resources directly or indirectly in accordance with Article 62(1), point (a) or (c) of Regulation (EU, Euratom) 2024/2509. They shall be additional to the amount referred to in Article 4(1) of this Regulation. Those resources shall be used for the benefit of the Member State concerned. Where the Commission has not entered into a legal commitment under direct or indirect management for additional amounts thus made available to the Programme, the corresponding uncommitted | | |

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| amounts may, at the request of the Member State concerned, be transferred back to one or more respective source programmes or their successors. | | |
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| *Article 6*<br>***Alternative, combined and cumulative funding*** | | |
| | | |
| 1. The Programme shall be implemented in coordination with other Union programmes. An action that has received a Union contribution from another programme may also receive a contribution under the Programme. The rules of the relevant Union programme shall apply to the corresponding contribution or a single set of rules may be applied to all contributions under the Programme and a single legal commitment may be concluded. If the Union contributions is based on eligible cost, the cumulative support from the Union budget shall not exceed the total eligible costs of the action and may be calculated on a pro-rata basis in accordance with the documents setting out the conditions for support. | | |
| | | |
| 2. Award procedures under the Programme may be conducted jointly under direct or indirect management with Member States, Union institutions, bodies and agencies, third countries, international organisations, international financial institutions, or other third parties (‘partners to the joint award procedure’), provided the protection of | | |

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| the financial interests of the Union is ensured. Such procedures shall be subject to a single set of rules and lead to the conclusion of single legal commitments. For that purpose, the partners to the joint award procedure may make resources available to the Programme in accordance with Article 5 of this Regulation, or the partners may be entrusted with the implementation of the award procedure, where applicable in accordance with Article 62(1), point (c), of Regulation (EU, Euratom) 2024/2509. In joint award procedures, representatives of the partners to the joint award procedure may also be members of the evaluation committee referred to in Article 153(3) of Regulation (EU, EURATOM) 2024/2509. | | |
| | | |
| *Article 7*<br>***Third countries associated to the Programme*** | | |
| | | |
| 1. The Programme may be opened to the participation of the following third countries through full or partial association, in accordance with the objectives laid down in Article 3 and in accordance with the relevant international agreements or any decisions adopted under the framework of those agreements and applicable to: | | |
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| (a) members of the European Free Trade Association which are members of the European Economic Area, as well as European micro-states; | | |
| | | |
| (b) acceding countries, candidate countries and potential candidates; | | |
| | | |
| (c) European Neighbourhood Policy countries; | | |
| | | |
| (d) other third countries. | | |
| | | |
| 2. The association agreements for participation in the Programme shall: | | |
| | | |
| (a) ensure a fair balance as regards the contributions and benefits of the third country participating in the Programme; | | |
| | | |
| (b) lay down the conditions of participation in the programmes, including the calculation of financial contributions, consisting of an operational contribution and a participation fee, to a programme and its general administrative costs; | | |
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| (c) not confer on the third country any decision-making power in the Programme; | | |
| | | |
| (d) guarantee the rights of the Union to ensure sound financial management and to protect its financial interests; | | |
| | | |
| (e) where relevant, ensure the protection of security and public order interests of the Union. | | |
| | | |
| For the purposes of point (d), the third country shall grant the necessary rights and access required under Regulations (EU, Euratom) 2024/2509 and (EU, Euratom) No 883/2013, and guarantee that enforcement decisions imposing a pecuniary obligation on the basis of Article 299 TFEU, as well as judgements and orders of the Court of Justice of the European Union, are enforceable. | | |
| | | |
| *Article 8*<br>***Implementation and forms of Union funding*** | | |
| | | |
| 1. The Programme shall be implemented in accordance with Regulation (EU, Euratom) 2024/2509 under direct management or under indirect management with entities referred to in Article 62(1), point (c), of that Regulation. | | |
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| 2. Union funding may be provided in any form in accordance with Regulation (EU, Euratom) 2024/2509, in particular grants, prizes, procurement, and non-financial donations. | | |
| | | |
| 3. [Where Union support is provided in the form of a budgetary guarantee or a financial instrument, including where combined with non-repayable support in a blending operation, it shall be exclusively provided through the ECF InvestEU Instrument or GE delivery mechanism and implemented in accordance with the applicable rules of the ECF InvestEU Instrument and GE delivery mechanism through agreements concluded for that type of support under the ECF InvestEU Instrument or GE delivery mechanisms.] | | |
| | | |
| 4. [Union support in the form of a budgetary guarantee shall be provided within the maximum amount of the budgetary guarantee established by the ECF or GE Regulation.] | | |
| | | |
| 5. [Where the Programme makes use of the ECF InvestEU Instrument or GE delivery mechanism, it shall provide the provisioning for the budgetary guarantee and the financing to financial instruments, including when combined with non-repayable support in the form of a blending operation.] | | |

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| *Article 9*<br>***Eligibility*** | | |
| | | |
| 1. Eligibility criteria shall be set to support achievement of the objectives laid down in Article 3 of this Regulation and in accordance with Regulation (EU, Euratom) 2024/2509. **Those eligibility criteria shall be included in the work programme referred to in Article 12.** | | |
| | | |
| 2. In award procedures under direct or indirect management, one or more of the following legal entities may be eligible to provide or to receive Union support: | | |
| | | |
| (a) entities established in a Member States; | | |
| | | |
| (b) entities established in an associated third country; | | |
| | | |
| (c) international organisations; | | |
| | | |
| (d) other entities established in non-associated third countries where the funding of such entities is | | |

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| essential for implementing the action and contributes to the objectives laid down in Article 3. | | |
| | | |
| 3. In addition to Article 168(2) and (3) of Regulation (EU, Euratom) 2024/2509, associated third countries referred to in Article 7(1) of this Regulation may, where relevant, participate in and benefit from any procurement mechanisms set out in Article 168(2) and (3) of Regulation (EU, Euratom) 2024/2509. Rules applicable to Member States shall be applied, *mutatis mutandis*, to participating associated third countries. | | |
| | | |
| 4. Award procedures affecting security or public order, in particular concerning strategic assets and interests of the Union or its Member States, shall be restricted in accordance with Article 136 of Regulation (EU, Euratom) 2024/2509. In accordance with Article 136 of the Financial Regulation, eligibility restrictions shall apply to high-risk suppliers, in line with EU law, for security reasons. | | |
| | | |
| 5. As regards actions referred to in Article 3(2), point (a)**(i)**, of this Regulation, the assessment of proposals against the award criteria shall, where applicable, ensure that proposed actions are consistent with the corridor work plans and implementing acts referred to in Articles 54 and 55 of Regulation (EU) 2024/1679 and that they take | | |

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| into account the consultative opinion of the responsible European Coordinator pursuant to Article 52(9) of that Regulation. | | |
| | | |
| 6. Grant proposals shall be submitted by one or more Member States or with the approval of the Member States concerned by the project of common interest or project of mutual interest. | | |
| | | |
| ~~7. Award procedures for grants or parts thereof, that are already fully financed from other public or private sources, except contributions from the Union in the context of synergy actions referred to in Article 6, shall not be eligible for funding.~~ | | |
| | | |
| 8. The work programme referred to in Article 110 of Regulation (EU, Euratom) 2024/2509 or the documents related to the award procedure may further specify the eligibility criteria set out in this Regulation or set additional eligibility criteria for specific actions. | | |
| | | |
| *Article 10*<br>**Complementary rules for grants** | | |
| | | |
| 1. In addition to the grounds for reduction set out in Article 132(4) of Regulation (EU, Euratom) | | |

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| 2024/2509, the amount of the grant may be reduced under the following conditions: | | |
| | | |
| (a) as regards studies, where the action has not started within one year following the starting date indicated in the grant agreement; | | |
| | | |
| (b) as regards works, where the action has not started within two years following the starting date indicated in the grant agreement; | | |
| | | |
| (c) following a review of the progress of the action, it is established that the implementation of the action has suffered such major delays that the objectives of the action are unlikely to be achieved; | | |
| | | |
| 2. The grant agreement may be amended or terminated on the basis of the conditions set out in paragraph 1. | | |
| | | |
| **Before any decision regarding the reduction or termination of a grant is taken, the case shall be examined comprehensively and the beneficiaries concerned shall be given the possibility to submit their observations within a reasonable time-frame.** | | |
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| 3. Available commitment appropriations resulting from the application of paragraph 1 or 2 shall be made available under this Programme. | | |
| | | |
| 4. Without prejudice to the use of competitive procedures wherever appropriate in accordance with Article 192(1) of Regulation (EU, Euratom) 2024/2509 and in addition to Article 198 of that Regulation, the work programme referred to in Article 12 of this Regulation may, where duly justified with reference to the need to facilitate completion of a global project, specify an action and beneficiaries, and set out an amount up to which proposals may be invited for extension of ongoing or completed actions under the Programme, while ensuring equal treatment and transparency in line with Article 191 of Regulation (EU, Euratom) 2024/2509. The award for ongoing actions may take the form of an amendment to the original action by adding new activities and increasing the maximum Union contribution. The commitment appropriations referred to in paragraph 3 of this Article shall be used to cover the amounts reserved in the work programme for such awards. | | |
| | **4a In accordance with Article 196(2a) of the Regulation (EU, Euratom) 2024/2509, activities and expenses incured before 1 January 2028 may be eligible if they ensure continuation of the actions under Regulation (EU) 2021/1153 as part of specific global projects.** | Lithuania welcomes the call by the President of the European Commission, Ursula von der Leyen, to invest in greater resilience and preparedness of the Easternmost part of the EU, thereby enabling the creation of the Eastern Flank Watch initiative. Acknowledgment of the need to reinforce the EU regions most directly affected by the russian war |

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| | **4b For works and studies relating to the specific objective referred to in Article 3(2)(a) implemented in the EU's Eastern border region when allocating funding from CEF budget programs the amount of Union financial support shall not exceed 85%.** | against Ukraine is part of the growing realization that the whole Union is as secure as its most exposed regions.<br>To build up resilient transport infrastructure the architecture of the MFF 2028-2034 package, including CEF, should recognize a cross-cutting issue - the EU's eastern border geopolitical situation and anticipate the means to respond. |
| 5. [For studies, the amount of Union financial support shall not exceed 50% of the total eligible costs.] | | |
| | | |
| 6. [For works relating to the specific objective referred to in Article 3(2), point (a), the amount of Union financial support shall not exceed 50% of the total eligible cost. The co-financing rate for actions taking place in Member States with a per capita GNI of less than 90 % of the Union GNI, the amount of Union financial support shall not exceed 75% of the total eligible cost.] | | |
| | | |
| 7. [For works relating to the specific objectives referred to in Article 3(2), point (b), the following shall apply: | | |
| | | |
| (a) the amount of Union financial support shall not exceed 50% of the total eligible cost; | | |
| | | |

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| (b) the co-financing rates referred to in point (a) may be increased to a maximum of 75% of the total eligible cost for actions contributing to the development of projects of common interest which, based on the evidence referred to in Article 18(2) of Regulation (EU) 2022/869, provide a high degree of regional or Union-wide security of supply, strengthen the solidarity of the Union or offer highly innovative solutions.] | | |
| | | |
| 8. [In each of the transport and energy sectors, as regards works undertaken in outermost regions, a specific maximum co-financing rate of 60% shall apply.] | | |
| | | |
| 9. The support provided by the Programme shall accelerate or boost investments by addressing market failures or sub-optimal investment situations, in a proportionate manner, avoiding duplication or crowding out, and by incentivising private funding and shall have Union added-value. | | |
| | | |
| *Article 11*<br>***Cross-border projects in the field of renewable energy*** | | |
| | | |
| 1. The Commission shall conduct, at least once a year, a selection of cross-border projects in the | | |

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| field of renewable energy, based on the criteria and procedure set out in this Article, in the delegated act referred to in paragraph 4 of this Article and the related work programme referred to in Article 12. | | |
| | | |
| 2. Cross-border projects in the field of renewable energy should provide cost savings for the deployment of renewable energy across the Union or other benefits for system integration, security of supply, competitiveness or innovation, in comparison to a similar project implemented by one of the participating Member States or third country alone. | Cross-border projects in the field of renewable energy should provide cost savings for the deployment of renewable energy across the Union or other benefits for **enhanced integration of energy** system **across borders** ~~**integration**~~, security of supply, competitiveness or innovation, in comparison to a similar project implemented by one of the participating Member States or third country alone. | In our view, it is necessary to highlight the enhanced integration of energy system across borders as the lack of interconnected grids could hinder the green transition and development of RES. |
| | | |
| 3. In case of grants for works, the applicant should demonstrate the need to overcome market failures or financial obstacles such as insufficient commercial viability, high upfront costs or the lack of market finance. | 3. In case of grants for works, the applicant should demonstrate the need to overcome market failures or financial obstacles such as insufficient commercial viability, high upfront costs or the lack of **access to** market finance. | We suggest including the word "access" because of business operators facing problems with getting access to finance. |
| | | |
| 4. By (day month year) (or 12 months after entry into force of this act), the Commission shall adopt a delegated act in accordance with Article 14 supplementing this Regulation by laying down the specific criteria and procedure for the selection of cross-border projects in the field of renewable energy. | The Commission may decide to allocate the Programme budget envisaged for cross-border projects in the field of renewable energy to the Union renewable energy financing mechanism established by Article 33 of Regulation (EU) 2018/1999 where it can achieve the specific objective referred to in Article 3(2), point (b)(ii) of the Regulation, and where it can contribute to the reduction of the costs of capital for renewable energy projects**, ensure the efficient pooling of** | Ensuring the efficient pooling of resources across borders maximizes economies of scale, reduces duplication, and allows Member States to exploit complementary renewable energy potentials. At the same time, balanced benefits for participating legal entities, as required by Article 9(2), foster fairness and trust, which are essential to sustaining long-term cross-border cooperation. |

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| Presidency compromise | Drafting Suggestions | Comments |
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| | **resources across borders and balanced benefits for participating legal entities as reffered in Article 9(2).** The total contribution made for the period from 1 January 2028 to 31 December 2034 shall not exceed 5% of the budget of this Programme envisaged for the specific objectives referred to in Article 3(2), point (b). | |
| | | |
| 5. The Commission may decide to allocate the Programme budget envisaged for cross-border projects in the field of renewable energy to the Union renewable energy financing mechanism established by Article 33 of Regulation (EU) 2018/1999 where it can achieve the specific objective referred to in Article 3(2), point (b)(ii) of the Regulation, and where it can contribute to the reduction of the costs of capital for renewable energy projects. The total contribution made for the period from 1 January 2028 to 31 December 2034 shall not exceed 5% of the budget of this Programme envisaged for the specific objectives referred to in Article 3(2), point (b). | | |
| | | |
| *Article 12*<br>***Work programme*** | | |
| | | |
| 1. The Programme shall be implemented by work programmes referred to in Article 110 of Regulation (EU, Euratom) 2024/2509. | | |

| Presidency compromise | Drafting Suggestions | Comments |
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| 2. The work programmes shall set out, where applicable, the activities and related amounts of Union support to be implemented through the ECF InvestEU Instrument and GE delivery mechanism. | | |
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| 3. The work programmes shall be adopted by the Commission by means of implementing acts. Those implementing acts shall be adopted in accordance with the ~~advisory~~ **examination** procedure referred to in Article 15(3). | | |
| | | |
| *Article 13*<br>***Delegated acts*** | | |
| | | |
| Subject to **the approval of the Member State concerned in accordance with** Article 172, second paragraph, TFEU, the Commission is empowered to adopt delegated acts in accordance with Article 1**4**~~5~~ of this Regulation to amend the Annex to this Regulation regarding the indicative list of projects. | | |
| | | |
| *Article 14*<br>***Exercise of the delegation*** | | |
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| Presidency compromise | Drafting Suggestions | Comments |
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| 1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article. | | |
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| 2. The power to adopt delegated acts referred to in Article 11(4) and 13 shall be conferred on the Commission until 31 December 2034. | | |
| | | |
| 3. The delegation of power referred to in Article 11(4) and 13 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 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. | | |
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| 4. 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. | | |
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| Presidency compromise | Drafting Suggestions | Comments |
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| As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council. | | |
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| 5. A delegated act adopted pursuant to Article 11(4) and 413 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 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. Representatives of third countries or international organisations shall not be present in deliberations on matters related to Article 12(3) of this Regulation. | | |
| | | |
| *Article 15*<br>***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. | | |
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| Presidency compromise | Drafting Suggestions | Comments |
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| 2. For matters concerning the objectives referred to in Article 3(2), point (a), the committee shall meet in the following configuration: "CEF Transport". | | |
| | | |
| For matters concerning the objectives referred to in Article 3(2), point (b), the committee shall meet in the following configuration: "CEF Energy"**.** | | |
| | | |
| 3. Where reference is made to this paragraph, Article ~~4~~ **5** of Regulation (EU) No 182/2011 shall apply. | | |
| | | |
| 4. Where the opinion of the committee is to be obtained by written procedure, that procedure shall be terminated without result when, within the time-limit for delivery of the opinion, the chair of the committee so decides or a simple majority of committee members so request. | | |
| | | |
| 5. In accordance with international agreements concluded by the Union, representatives of third countries or international organisations may be invited as observers in the meetings of the committee under the conditions laid down in its rules of procedure, taking into account security and public order of the Union or its Member States. Representatives of third countries or international | | |

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| Presidency compromise | Drafting Suggestions | Comments |
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| organisations shall not be present in deliberations on matters related to Article 9 of this Regulation. | | |
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| *Article 16*<br>***Amendment to Regulation (EU) 2024/1679*** | | |
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| In Article 48 of Regulation (EU) 2024/1679, the following paragraph 3 is added: | | |
| | | |
| '3. The Commission may adopt an implementing act specifying the infrastructure requirements applicable to certain categories of infrastructure, which addresses both civilian and defence needs ('dual use infrastructure'). | | |
| | | |
| That implementing act shall be adopted in accordance with the examination procedure referred to in Article 61(3).' | | |
| | | |
| *Article 17*<br>***Repeal*** | | |
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| Regulation (EU) 2021/1153 is repealed with effect from 1 January 2028. | | |
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| *Article 18*<br>***Transitional provisions*** | | |
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| Presidency compromise | Drafting Suggestions | Comments |
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| 1. This Regulation shall not affect the continuation or modification of the actions concerned, until their closure, under Regulations (EU) No 1316/2013 and (EU) No 2021/1153, which shall continue to apply to the actions concerned until their closure. | | |
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| 2. The financial envelope for the Programme may also cover technical and administrative assistance expenses necessary to ensure the transition between the Programme and the measures adopted under Regulation (EU) No 2021/1153. | | |
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| *Article 19*<br>***Entry into force and application*** | | |
| | | |
| This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*. | | |
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| It shall apply from 1 January 2028. | | |
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| This Regulation shall be binding in its entirety and directly applicable in all Member States. | | |
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| Done at Brussels, | | |
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| Presidency compromise | Drafting Suggestions | Comments |
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| *For the European Parliament* *For the Council* | | |
| | | |
| *The President* *The President* | | |
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| **ANNEX** | | |
| | | |
| Indicative list of projects of common interest with cross-border dimension as referred to in Art**icle** 3(2)(a) first intend | | |
| | EE - LV - LT - PL Tallinn - Riga - Vilnius - Warsaw (Rail Baltica, **Via Baltica**) | TENT Priority project for LT. |

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