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## **WORKING DOCUMENT**

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From:	General Secretariat of the Council
To:	Working Party on Transport - Intermodal Questions and Networks
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 Latvia and Estonia on isolated networks.

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Delegations will find attached written comments by Latvia and Estonia on isolated networks.

Written comments by Latvia and Estonia on

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

Latvia and Estonia have a horizontal scrutiny reservation on the articles dealing directly or indirectly with isolated rail networks.

We see the need to additionally safeguard the interpretation of the definition of the isolated network in order to guarantee that the 1520mm rail network in the Baltic States will be considered in practical terms isolated also in the future. In this context, we also reiterate that for 1520mm rail network in the Baltic States, an automatic exemption from the ERTMS requirements would be duly proportional.

In the current TEN-T legislation the definition for isolated networks is following:

*Point (g) of Article 3 defines - “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), 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.*

We have observed that the interpretation of this definition has changed over time by the European Commission, thus **our suggestion is** to amend the definition in order to avoid any future misgivings about the practical use of this definition.

Therefore, we suggest to amend the definition as follows.

*“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)~~, 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 **or a network, or a part thereof, with a track gauge different from that of the European standard nominal track gauge (1435mm)**;*

**Additionally, we reiterate the need to amend Article 17 by adding a new paragraph 7**

**To add:**

*7. The requirements set out in paragraphs 1 to 5a do not apply to isolated networks.*

**Justification:**

Baltic States are fully committed to further integrate into the Single European Railway Area and that ambition will be mainly achieved with the implementation of the new Rail Baltica line that will comply with all EU requirements, including the ERTMS.

We would like to stress that all isolated networks have their own specificities, but in case of the isolated network of 1520 mm gauge in Baltic States, it is a unique isolated network among EU isolated networks as it is fully interoperable among three Baltic States and as it already complies with many other relevant ambitions (speeds up to 160km/h with class B systems, already electrified or to be electrified, 740m, P400).

Having said that, we consider it proportional to have a clear exemption in the TEN-T Regulation for the isolated 1520 mm network in order to avoid unnecessary financial and administrative burden. We reiterate that the ERTMS obligation for our 1520mm network would cause disproportionate spending of financial resources without significant added value in a situation where we need to focus all relevant financial assets on delivering Rail Baltica line as quickly as possible. Moreover, that would also bring additional negative impact on the functioning of the existing system and interoperability of the isolated network within the Baltic States.

We are thankful in advance for considering these arguments.