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WORKING DOCUMENT

From:	General Secretariat of the Council
To:	Working Party on Transport - Intermodal Questions and Networks
N° Cion doc.:	ST 15109 2021 INIT
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 - Compromise proposals by the Presidency on Articles 54 and 58

Delegations will find attached compromise proposals by the Presidency on Articles 54 and 58 of the above proposal.

ARTICLE 8 (4a)

As in GA.

ARTICLE 54 – IMPLEMENTING ACTS

(1)

Without prejudice to Article 8(4a), and subject to the approval by the Member States concerned in accordance with Article 172 TFEU, the Commission shall adopt **implementing acts** ~~an implementing act~~ **for the implementation of** each European Transport Corridor **covering its mains cross-border sections as well as other specific critical national sections in order to implement missing links or to remove major bottlenecks** ~~building on the analysis of the first work plan of the European Coordinators after the entry into force of this Regulation~~. The selection of projects to be included in the implementing acts shall build on the analysis and prioritisation of projects as agreed with Member States in the first work plan of the European Coordinators in accordance with Article 53 of this Regulation. The implementing acts shall ensure a coherent priority setting of infrastructure and investment planning by establishing indicative milestones and the expected timeline for the implementation of the identified **projects** ~~missing links, bottlenecks and cross-border sections along the European Transport Corridor~~. It **They** shall be elaborated in close collaboration with the concerned Member States and updated every four years or upon the request of a Member State.

(2)

Without prejudice to Article 8(4a), and subject to the approval by the Member States concerned in accordance with Article 172 TFEU, the Commission may adopt implementing acts ~~for the implementation of cross-border sections of the European Transport Corridors, or for the implementation of the horizontal priorities. Upon request of the Member State(s) concerned, the Commission may also adopt implementing acts for the implementation of other specific sections of the European Transport Corridors in the Member States concerned in order to ensure a coherent priority setting of that infrastructure and investment planning by setting indicative milestones for the implementation of respective major missing links and for the removal of bottlenecks.~~ Implementing acts shall be elaborated in close collaboration with the Member States concerned and updated every four years or upon the request of Member States.

(3)

As in EP proposal:

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 acts⁵ and unless provided otherwise in the implementing acts⁵, 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.

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 and 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 where applicable the implementing acts adopted in accordance with Article 54(1) and (2).

(2)

MS 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 public consultation of this plan or programme is launched. The Member States shall also provide the Commission with the final national plan(s) or programme(s) once adopted. **The Commission may issue an opinion on the coherence of the draft national plans and programmes with the priorities set out in this Regulation and with the priorities set out in the work plans of the corresponding European Transport Corridor(s) and of the horizontal priorities and in the implementing acts adopted in accordance with Articles 54(1) and (2). MS shall also provide the Commission with the final national plan(s) or programme(s) once adopted.**

(Accompanied by a recital in order to reassure about the lack of legal effect of COM's opinion)