



Council of the European Union
General Secretariat

**Interinstitutional files:
2021/0420 (COD)**

Brussels, 26 May 2023

WK 6305/2023 ADD 4

LIMITE

**TRANS
CODEC**

This is a paper intended for a specific community of recipients. Handling and further distribution are under the sole responsibility of community members.

WORKING DOCUMENT

From:	General Secretariat of the Council
To:	Working Party on Transport - Intermodal Questions and Networks
N° prev. doc.:	ST 8884/23
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 - Four-column document - Comments by Lithuania

Delegations will find in the annex, comments by Lithuania on the four-column document (ST 8884/23).

Comments from LITHUANIA regarding proposal for 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

(38d) Moved from recital 39a:

The new geopolitical context arising from Russia's war of aggression against Ukraine showed how important seamless transport connections are within the Union's territory and with neighbouring third countries. A different railway track gauge from the European standard nominal track gauge of 1 435 mm severely hampers the interoperability of the railway networks across the Union and even impacts the competitiveness of those isolated railway networks. New railway lines of the core or extended core network should therefore be built in European standard nominal track gauge of 1 435 mm. In addition, Member States with an ~~different track gauge~~ **isolated railway** network should assess the migration of existing lines **and service facilities** ~~of the European Transport Corridors~~. This obligation should not apply to island and outermost regions, as, due to their geographical situation, their network is fully detached from any land-side connection on the Union territory.

Article 16a

European standard nominal track gauge for rail

2. By derogation to paragraph 1, the Member States on the territory of which, at the date of entry into force of this Regulation, no new railway line is planned to be connected to the land border of another Member State according to Annex I of this Regulation, shall draw up a plan identifying the new railway line to be built according to the European standard nominal track gauge of 1 435 mm. This plan shall take account of the impact on interoperability with the neighbouring Member State(s), by taking account of, notably, the possible migration of existing railway lines according to paragraph 3. The plan shall include a socioeconomic cost-benefit analysis justifying the decision of the Member State, where relevant, not to build new railway infrastructure to the European standard nominal track gauge of 1 435 mm and an assessment of the impact on interoperability **and potential risks to national security**. This plan shall be submitted to the Commission at the latest two years after the date of entry into force of this Regulation.

3. Member States with an existing rail network, or a part thereof, with a track gauge different from that of the European standard nominal track gauge of 1 435 mm shall carry out an assessment, at the latest two years after the date of entry into force of this Regulation, identifying the existing railway lines **and service facilities** ~~located on the European Transport Corridors~~ in view of their possible migration to the European standard nominal track gauge of 1 435 mm. The assessment shall be coordinated with the neighbouring Member State(s), ~~in case of crossborder sections~~. The assessment shall include a socio-economic costbenefit analysis on the viability of the possible migration and an assessment of the impact on interoperability **and potential risks to national security**.

Based on the assessment under the first subparagraph, the Member States shall draw up a migration plan where relevant, at the latest one year following the completion of the assessment, identifying the existing railway lines **and service facilities** ~~located on the European Transport Corridors~~ to be migrated to the European standard nominal track gauge of 1 435 mm and provide for an indication of the timeline of the migration.

Member States should coordinate on the economic, technical, financial, operational and legal aspects of migration in order to ensure security at the regional level.

Sub-paragraphs 1 and 2 shall apply mutatis mutandis to the railway lines for which construction works have started on the date of entry into force of this Regulation.

4. The priorities for infrastructure and investment planning resulting from the plans referred to in paragraphs 2 and 3 shall be included in the first work plan of the European Coordinator for a European Transport Corridor of which the freight railway lines within isolated railway networks are ~~with a track gauge different from that of the European standard nominal track gauge is~~ part, in accordance with Article 53.

Justification:

One of the goals of our proposal is that, according to Article 16a of the TEN-T Regulation, the entire railway network and railway service facilities should be included in the migration plan.

The railway market in the Baltics has been mostly concentrated on the Eastern-Western axis. This tendency limits the economic competitiveness and security of the Baltic region. Therefore, the shift towards the European standard railway gauge will help to turn economic flows on the Northern-Southern axis and will strengthen economic relations between the Baltic region and the rest of the EU.

Migration from 1520 mm to 1435 mm standard railway gauge is the key to completing the creation of an internal European market of railway services and will significantly contribute to the strengthening of the security of the Baltic States.

The migration plan should cover not only the European Transport Corridors but also the entire railway networks of relevant Member States. Otherwise, national railway networks would be fragmented, which would cause additional expenses and lessen its effectiveness and viability. However, each Member State has some specific factors that must be taken into consideration. For example, Lithuania has to ensure cargo transit to Kaliningrad, as it is established in the EU-Russia agreement.

Migration in the Baltics should be closely coordinated on the regional level, in order to ensure regional security, a level playing field as well as coherence between Lithuanian, Latvian, and Estonian railway networks and markets.