

9.6.2010

A7-0162/ 001-081

**AMENDMENTS 001-081**

by the Committee on Transport and Tourism

**Recommendation for second reading**

**Marian-Jean Marinescu**

**A7-0162/2010**

European rail network for competitive freight

Council position (11069/5/2009 – C7-0043/2010 – 2008/0247(COD))

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**Amendment 1**

**Council position**

**Recital 4**

*Council position*

(4) The opening of the rail freight market has made it possible for new operators to enter the rail network. To optimise the use of the network and ensure its reliability it is useful to introduce additional procedures to strengthen cooperation on allocation of international train paths for freight trains between infrastructure managers.

*Amendment*

(4) ***Although*** the opening of the rail freight market has made it possible for new operators to enter the rail network, ***market mechanisms have not been and are not sufficient to organise, regulate and secure rail freight traffic.*** To optimise the use of the network and ensure its reliability it is useful to introduce additional procedures to strengthen cooperation on allocation of international train paths for freight trains between infrastructure managers.

*Justification*

*This amendment aims to reintroduce Parliament's first reading.*

## Amendment 2

### Council position

#### Recital 5

*Council position*

*Amendment*

***(5) The Council, meeting on 7 and 8 April 2008, concluded that the efficient use of infrastructure must be promoted and that, if necessary, railway infrastructure capacities must be improved by means of measures taken at European and national levels, and in particular by means of legal acts.*** ***deleted***

## Amendment 3

### Council position

#### Recital 8

*Council position*

*Amendment*

***(8) This Regulation should be without prejudice to the rights and obligations of infrastructure managers set out in Directive 91/440/EEC and Directive 2001/14/EC and, where relevant, allocation bodies as referred to in Article 14(2) of Directive 2001/14/EC. Those acts remain in force, including in respect of provisions which affect freight corridors, in particular in respect of the right of infrastructure managers to refuse or accept applications for capacity from legal entities other than railway undertakings.*** ***deleted***

*Justification*

*This recital is redundant concerning the validity of former directives. Moreover, this creates a confusion with the possibility to apply for authorised applicants other than railways undertakings.*

## Amendment 4

### Council position

#### Recital 8 a (new)

*Council position*

*Amendment*

***(8a) The establishment of a freight***

*corridor should take into account, where appropriate, the need for better interconnections with the rail infrastructure of third countries.*

*Justification*

*This amendment aims to reintroduce Parliament's first reading.*

**Amendment 5**

**Council position**

**Recital 8 b (new)**

*Council position*

*Amendment*

*(8b) The design of freight corridors should seek to ensure their internal continuity by enabling the requisite interconnections between existing railway infrastructure and allocating the requisite capacities along the entire path of the freight corridor.*

*Justification*

*It is important to ensure internal continuity by enabling the necessary interconnections between existing railway infrastructure and allocating the necessary capacities along the whole of the freight corridor.*

**Amendment 6**

**Council position**

**Recital 9**

*Council position*

*Amendment*

(9) The international rail corridors **for a** European rail network for competitive freight **should be set up** in a manner consistent with the Trans-European Transport Network ("TEN-T") and/or the European Railway Traffic Management System ("ERTMS") corridors. To that end, the coordinated development of the networks is necessary, and in particular as regards the integration of the international corridors for rail freight into the existing TEN-T and the ERTMS corridors. Furthermore, harmonising rules relating to those freight corridors should be

(9) The **implementation of** international rail **freight** corridors **forming a** European rail network for competitive freight **must be conducted** in a manner consistent with the Trans-European Transport Network ("TEN-T") and/or the European Railway Traffic Management System ("ERTMS") corridors. To that end, the coordinated development of the networks is necessary, and in particular as regards the integration of the international corridors for rail freight into the existing TEN-T and the ERTMS corridors. Furthermore, harmonising rules relating to those freight corridors should be

established at the level of the Union. If necessary, the creation of those corridors should be supported financially within the framework of the TEN-T, research and Marco Polo programmes, and other policies and funds of the Union, such as the European Regional Development Fund or the Cohesion Fund.

established at the level of the Union **and silent freight train projects should be promoted**. If necessary, the creation of those corridors should be supported financially within the framework of the TEN-T, research and Marco Polo programmes, and other policies and funds of the Union, such as **the European Investment Bank**, the European Regional Development Fund or the Cohesion Fund.

## Amendment 7

### Council position Recital 12

#### *Council position*

(12) In order to stimulate coordination between the Member States **and** the infrastructure managers, an appropriate governance structure for each freight corridor should be established, taking account **of** the need to avoid duplication with already existing governance structures;

#### *Amendment*

(12) In order to stimulate coordination between the Member States, the infrastructure managers **and railway undertakings, and to provide continuity along the corridor**, an appropriate governance structure for each freight corridor should be established, taking **into** account of the need to avoid duplication with already existing Governance structures.

## Amendment 8

### Council position Recital 15

#### *Council position*

(15) In order to guarantee the consistency and continuity of the infrastructure capacities available along the freight corridor, investment in the freight corridor should be coordinated between Member States **and** the infrastructure managers concerned, and planned in a way which meets the needs of the freight corridor. The schedule for carrying out the investment should be published to ensure that **applicants who** may operate in the corridor are well-informed. The investment should include projects relating to the development of interoperable systems and the increase in capacity of the trains.

#### *Amendment*

(15) In order to guarantee the consistency and continuity of the infrastructure capacities available along the freight corridor, investment in the freight corridor should be coordinated between Member States, the infrastructure managers concerned, **as well as, if applicable, between Member States and third countries**, and planned in a way which meets the needs of the freight corridor. The schedule for carrying out the investment should be published to ensure that **railway undertakings that** may operate in the corridor are well-informed. The investment should include projects relating to the

development of interoperable systems and the increase in capacity of the trains.

*Justification*

*This amendment aims to reintroduce Parliament's first reading.*

**Amendment 9**

**Council position**  
**Recital 21 a (new)**

*Council position*

*Amendment*

***(21a) In order to guarantee the development of competition between suppliers of rail freight services in the freight corridor, applicants other than railway undertakings or their groupings should be able to request infrastructure capacity, with priority nevertheless being awarded to railway undertakings or their groupings.***

*Justification*

*It is important that priority be awarded to railway undertakings or their groupings in order to ensure internal continuity along the whole freight corridor.*

**Amendment 10**

**Council position**  
**Recital 25**

*Council position*

*Amendment*

(25) Since the objective of this Regulation, namely the ***establishment*** of a European rail network for competitive freight made up of freight corridors, cannot be sufficiently achieved by the Member States alone and can therefore by reason of its scale and effects be better achieved at the level of the Union, the Union may adopt measures in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union. In accordance with the principle of proportionality, as set out in that Article, this Regulation does not go beyond what is necessary in order to achieve that objective.

(25) Since the objective of this Regulation, namely the ***creation*** of a European rail network for competitive freight made up of freight corridors, cannot be sufficiently achieved by the Member States alone and can therefore by reason of its scale and effects be better achieved at the level of the Union, the Union may adopt measures in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union. In accordance with the principle of proportionality, as set out in that Article, this Regulation does not go beyond what is necessary in order to achieve that objective.

## Amendment11

### Council position Recital 27 a (new)

#### *Council position*

#### *Amendment*

***(27a) The aim of this Regulation is to improve the efficiency of rail freight transport relative to other modes of transport. Coordination should be ensured between Member States and infrastructure managers in order to guarantee the most efficient functioning of freight corridors. To allow this, operational measures should be taken in parallel with investments in infrastructure and in technical equipment such as ERTMS that should aim at increasing rail freight capacity and efficiency.***

#### *Justification*

*This amendment aims to reintroduce Parliament's first reading.*

### Amendment 12

### Council position Recital 29

#### *Council position*

#### *Amendment*

(29) In addition, the Commission should be empowered to adopt delegated acts in accordance with Article 290 of the Treaty on the Functioning of the European Union ***in respect of the adaptation of Annex II.*** It is of particular importance that the Commission consult experts during its preparatory work, in accordance with the commitments made in the Commission Communication of 9 December 2009 on the implementation of Article 290 of the Treaty on the Functioning of the European Union.

(29) In addition, the Commission should be empowered to adopt delegated acts in accordance with Article 290 of the Treaty on the Functioning of the European Union. It is of particular importance that the Commission consult experts during its preparatory work, in accordance with the commitments made in the Commission Communication of 9 December 2009 on the implementation of Article 290 of the Treaty on the Functioning of the European Union.

## Amendment 13

### Council position

#### Article 1 - paragraph 1

##### *Council position*

1. This Regulation lays down rules for the establishment and organisation of international rail corridors **for a European rail network** for competitive freight. It sets out rules for the selection, organisation **and** management of freight corridors.

##### *Amendment*

1. This Regulation lays down rules for the establishment and organisation of international rail corridors for competitive **rail freight (hereinafter referred to as "freight corridors") with a view to the development of a European Rail Network for Competitive Freight.** It sets out rules for the selection, organisation, management **and the investment planning** of freight corridors.

## Amendment 14

### Council position

#### Article 1 - paragraph 2

##### *Council position*

2. This Regulation shall apply to the management and use of railway infrastructure in freight corridors.

##### *Amendment*

2. This Regulation shall apply to the management and use of railway infrastructure **included** in freight corridors.

## Amendment 15

### Council position

#### Article 2 - paragraph 2 - point a

##### *Council position*

(a) "freight corridor" **means** all designated railway lines **in** Member States and, where necessary, European third countries, linking terminals along **the** principal route **of the freight corridor**, including **the railway infrastructure and its equipment, marshalling yards and train formation facilities and, where necessary, diversionary routes;**

##### *Amendment*

(a) "freight corridor" **shall mean** all designated railway lines **including railway ferry lines, on the territory of, or between** Member States, and, where necessary, European third countries, linking **two or more** terminals, along a principal route **and, where appropriate, diversionary routes and sections connecting them, including the railway infrastructure and its equipment in accordance with Article 5 of Directive 2001/14/EC;**

## Amendment 16

### Council position

#### Article 2 - paragraph 2 - point c a (new)

##### *Council position*

##### *Amendment*

***(ca) "one - stop shop" shall mean the joint entity set up by the management board of each freight corridor which offers applicants the opportunity to request in a single place and in a single operation a train path for a journey crossing at least one border.***

## Amendment 17

### Council position

#### Article 3 - paragraph 1

##### *Council position*

##### *Amendment*

1. The Member States referred to in Annex I shall ***establish by [three years]*** after entry into force of this Regulation the freight corridors along the principal routes set out in that Annex. The Member States concerned shall inform the Commission about the establishment of the freight corridors.

1. The Member States referred to in Annex ***I shall make operational at the latest two years*** after entry into force of this Regulation the freight corridors along the principal routes set out in that Annex. The Member States concerned shall inform the Commission about the establishment of the freight corridors.

## Amendment18

### Council position

#### Article 3 – paragraph 1 a (new)

##### *Council position*

##### *Amendment*

***1a. The Member States referred to in Annex I shall draw up, at the latest six months after the entry into force of this Regulation the implementation plan of the freight corridors referred to in Annex I, pursuant to Article 8 of this Regulation. The implementation plan, drawn up by the management board, shall include also the determination of the corridor routing pursuant to Article 2(2) (a) after consultation of the advisory groups referred to in Article 7(6) and Article***



7(6a).

## **Amendment 19**

### **Council position**

#### **Article 3 - paragraph 2**

*Council position*

**2. By derogation from paragraph 1 the freight corridors along the principal routes set out in points 3, 5 and 8 of Annex I shall be established by [five years after entry into force of this Regulation].**

*Amendment*

**deleted**

## **Amendment 20**

### **Council position**

#### **Article 3 - paragraph 2 a (new)**

*Council position*

*Amendment*

**2a. Following the information by Member States on the establishment of freight corridors, the Commission shall, by means of delegated acts in accordance with Articles 20, 21 and 22, adopt a decision relating to an initial network of freight corridors including the corridors approved in Annex I at the latest six months after the establishment of the freight corridors referred to in paragraph 1.**

## **Amendment 21**

### **Council position**

#### **Article 3 - paragraph 2 b (new)**

*Council position*

*Amendment*

**2b. The network of freight corridors referred to in paragraph 2a shall be progressively modified and supplemented on the basis of proposals for the creation or modification of freight corridors, and after a Commission decision has been adopted by means of delegated acts in accordance with Articles 20, 21 and 22. The proposals from Member States shall be examined taking into consideration the**

*criteria set out in Article 4(1).*

## **Amendment 22**

### **Council position Article 4**

#### *Council position*

- 1. Each Member State with a rail border with another Member State shall participate in the establishment of at least one freight corridor, unless this obligation has already been met under Article 3.*
- 2. Notwithstanding paragraph 1, Member States shall, upon request from a Member State, participate in the establishment of the freight corridor as referred to in that paragraph or the prolongation of an existing corridor, in order to allow a neighbouring Member State to fulfil its obligation under that paragraph.*
- 3. Without prejudice to the obligations of Member States under Article 7 of Directive 91/440/EEC, where a Member State considers that the establishment of a freight corridor would not be in the interest of the applicants likely to use the freight corridor or would not bring significant socio-economic benefits or would cause a disproportionate burden, the Member State concerned shall not be obliged to participate as referred to in paragraphs 1 and 2 of this Article, subject to a decision of the Commission acting in accordance with the advisory procedure referred to in Article 19(2).*
- 4. A Member State shall not be obliged to participate as referred to in paragraphs 1 and 2 if it has a rail network which has a track gauge which is different from that of the main rail network within the Union.*
- 5. In order to meet the obligation under paragraphs 1 and 2, the Member States concerned shall jointly propose to the Commission the establishment of freight corridors after consulting the infrastructure managers and applicants concerned by ..., taking into account the*

#### *Amendment*

- 1. The selection and modification of freight corridors shall take account of the following criteria:*
  - (a) The crossing by the freight corridor of the territory of at least three Member States or at least two Member States if the distance between the railway terminals served by the freight corridor proposed is greater than 500 kilometres;*
  - (b) The consistency of the freight corridor with the TEN-T, the ERTMS corridors and / or the corridors defined by RailNetEurope;*
  - (c) The integration of TEN-T priority projects into the freight corridor;*
  - d) An analysis justifying the balance between the socio-economic costs and benefits stemming from the establishment of the freight corridor;*

*criteria set out in Annex II.*

*6. The Commission shall examine the proposals for the establishment of freight corridor(s) referred to in paragraph 5 and, in accordance with the regulatory procedure referred to in Article 19(3), adopt a decision on the compliance of such a proposal with this Article at the latest nine months after submission of the proposal.*

*7. The Member States concerned shall establish the freight corridor at the latest three years after the decision of the Commission referred to in paragraph 6.*

*8. The Commission shall be empowered to adopt delegated acts in accordance with Article 290 of the Treaty on the Functioning of the European Union as regards adaptations to Annex II. When preparing the delegated acts referred to in this paragraph, the Commission shall respect the provisions set out in Directive 2001/14/EC and Directive 2008/57/EC of the European Parliament and of the Council of 17 June 2008 on the interoperability of the rail system within the Community (recast) and shall take into account, in particular, the deployment plan relating to the interoperable systems, the evolution of the railway system and the TEN-T and in particular the implementation of the ERTMS, as well as freight market developments, including interaction with other transport modes.*

*For the delegated acts referred to in this paragraph, the procedure set out in Articles 20, 21 and 22 shall apply.*

*e) The existence of an implementation plan;*

*f) The consistency of all of the freight corridors proposed by the Member States in order to set up a European rail network for competitive freight;*

*g) The development of rail freight traffic and major trade flows and goods traffic along the corridor;*

*h) If appropriate, better interconnections between Member States and neighbouring third countries;*

*(i) The interest of the applicants in the freight corridor;*

*j) The existence of good interconnections with other modes of transport, in particular due to an adequate network of terminals, including in the maritime and inland ports.*

*2. The freight corridor may contain elements of the rail networks of European third countries. Where applicable, these elements must be compatible with the TEN-T policy.*

*3. The creation or modification of a freight corridor shall be proposed by the Member States concerned. For this purpose they shall send the Commission a letter of intent including a proposal drawn up after consultation of the infrastructure managers and applicants concerned, taking into account the criteria set out in Paragraph 1.*

*4. At the latest two years after the entry into force of this Regulation, each Member State with a rail border with another Member State shall participate in the establishment of at least one freight corridor, unless this obligation has already been met under Article 3.*

*5. The Commission shall be empowered to adopt delegated acts in accordance with Article 290 of the Treaty on the Functioning of the European Union as regards the creation or modification of freight corridor(s) referred to in paragraph 3.*

*6. The Commission shall examine the proposals for the establishment of freight corridor(s) referred to in paragraph 3 and, in accordance with the delegated acts referred to in Articles 20, 21 and 22, adopt a decision on compliance of such proposals with this Article at the latest 6 months after submission of the respective proposals.*

*7. The Member States concerned shall make the freight corridor operational at the latest two years after the decision of the Commission referred to in paragraph 6.*

*8. Notwithstanding paragraph 4, Member States shall, upon request from a Member State, participate in the establishment of the freight corridor as referred to in paragraph 4 or prolongation of existing corridor, in order to allow a neighbouring Member State to fulfil its obligation under that paragraph.*

*9. Without prejudice to the obligations of Member States under Article 7 of Directive 91/440/EC, where a Member State considers, after having provided a socio-economic analysis, that the*

*establishment of a freight corridor would not be in the interest of the applicants likely to use the freight corridor or would not bring significant socio-economic benefits or would cause a disproportionate burden, the Member State concerned shall not be obliged to participate as referred to in paragraphs 4 and 6 of this Article, subject to a decision of the Commission acting in accordance with the delegated acts referred to in Articles 20, 21 and 22.*

*10. When two or more Member States concerned do not agree on the establishment or modification of a freight corridor, and with regard to the railway infrastructure located on their territory, the Commission, at the request of one of the Member States concerned, shall consult the committee referred to in Article 19 on this matter. The opinion of the Commission shall be sent to the Member States concerned. The Member States concerned shall take this opinion into account in order to find a solution and shall take a decision on the basis of mutual consent.*

## **Amendment 23**

### **Council position Article 5**

#### *Council position*

#### *Article 5*

#### *Modification of the freight corridors*

*1. The freight corridors referred to in Articles 3 and 4 may be modified on the basis of a joint proposal by the Member States concerned to the Commission after consulting the infrastructure managers and applicants concerned.*

*2. The Commission shall, in accordance with the regulatory procedure referred to in Article 19(3), adopt a decision on the proposal taking into account the criteria set out in Annex II.*

#### *Amendment*

*deleted*

## Amendment 24

### Council position

#### Article 6

*Council position*

#### **Article 6**

*Amendment*

**deleted**

#### **Reconciliation**

***When two or more Member States concerned do not agree on the establishment or modification of a freight corridor, and with regard to the railway infrastructure located on their territory, the Commission, at the request of one of the Member States concerned, shall consult the Committee referred to in Article 19 on this matter. The opinion of the Commission shall be sent to the Member States concerned. The Member States concerned shall take this opinion into account in order to find a solution and shall take a decision on the basis of mutual consent.***

## Amendment 25

### Council position

#### Article 7 - paragraph - 1 a (new)

*Council position*

*Amendment*

***(1a) The Member States and infrastructure managers concerned by a freight corridor shall cooperate within the boards referred to in paragraphs 1 and 2 of this Article to ensure the development of the freight corridor in accordance with its implementation plan.***

## Amendment 26

### Council position

#### Article 7 - paragraph 1

*Council position*

*Amendment*

1. For each freight corridor, Member States concerned shall establish an executive board responsible for defining the general

1. For each freight corridor, Member States concerned shall establish an executive board responsible for defining the general

objectives of the freight corridor, supervising and taking the measures as expressly provided for in Articles 8, 10 **and 20**. The executive board shall be composed of representatives of the authorities of the Member States concerned.

objectives of the freight corridor, supervising and taking the measures as expressly provided for in Articles 8 **and** 10. The executive board shall be composed of representatives of the authorities of the Member States concerned.

*Justification*

*Not all decisions to be made by the Management Board are of concern to Member States (especially those concerning internal operational improvements). As Directive 2001/14/EC suggests it, a certain entrepreneurial independence of infrastructure managers should be preserved.*

**Amendment 27**

**Council position**  
**Article 7 - paragraph 2**

*Council position*

2. For each freight corridor, the infrastructure managers concerned and, where relevant, the allocation bodies as referred to in Article 14(2) of Directive 2001/14/EC, shall establish a management board responsible for taking the measures as expressly provided for in **paragraph 6** of this Article and in Articles **8, 10, 12(1), 13(2), (5) and (6), 15(1), 16 and 17(2) and (3)** of this Regulation. The management board shall be composed of the representatives of the infrastructure managers.

*Amendment*

2. For each freight corridor, the infrastructure managers concerned and, where relevant, the allocation bodies as referred to in Article 14(2) of Directive 2001/14/EC shall establish a management board responsible for taking the measures as expressly provided for in **paragraphs 6 and 7** of this Article and in Articles **8 to 16** of this of this Regulation. The management board shall be composed of the representatives of the infrastructure managers.

*Justification*

*This amendment aims to reintroduce Parliament's first reading.*

**Amendment 28**

**Council position**  
**Article 7 - paragraph 4**

*Council position*

4. The management board shall take its decisions, including decisions regarding its legal status, resources and staffing, on the basis of mutual consent of the

*Amendment*

4. The management board shall take its decisions, including decisions regarding its legal status, **the establishment of its organisational structure**, resources and

infrastructure managers concerned.

staffing, on the basis of mutual consent of the infrastructure managers concerned. ***The management board shall be an independent legal entity. It may take the form of a European economic interest grouping within the meaning of Council Regulation (EEC) No 2137/85 of 25 July 1985 on the European Economic Interest Grouping (EEIG).***

#### Amendment 29

##### Council position

##### Article 7 - paragraph 6

###### *Council position*

6. The management board shall set up an advisory group made up of managers and owners of the terminals of the freight corridor. This advisory group may issue an opinion on any proposal by the management board which has direct consequences for investment and the management of terminals. ***The advisory group*** may also issue own initiative opinions. The management board shall take any of these opinions into account

###### *Amendment*

6. The management board shall set up an advisory group made up of managers and owners of the terminals of the freight corridor ***including sea and inland waterway ports***. This advisory group may issue an opinion on any proposal by the management board which has direct consequences for investment and the management of terminals. ***It*** may also issue own-initiative opinions. The management board shall take any of these opinions into account. ***The final decision however shall be taken by the management board. In the event of disagreement between the management board and the advisory group, the latter may refer the matter to the executive board. The executive board shall act as an intermediary and provide its opinion in due time.***

#### Amendment 30

##### Council position

##### Article 7 - paragraph 6 a (new)

###### *Council position*

###### *Amendment*

***6a. The management board shall set up an advisory group made up of railway undertakings interested in using the freight corridor. The advisory group may issue an opinion on any proposal by the management board which has consequences for these undertakings. The***



*advisory group may also issue own-initiative opinions. The management board shall take any of these opinions into account. The final decision however shall be taken by the management board. In the event of disagreement between the management board and the advisory group, the latter may refer the matter to the executive board. The executive board shall act as an intermediary and provide its opinion in due time.*

## **Amendment 31**

### **Council position**

#### **Article 7 – paragraph 6 b (new)**

*Council position*

*Amendment*

**6b.** *The management board shall commit the infrastructure managers involved in the freight corridor to using interoperable IT applications or alternative solutions available in the future to handle requests for international train paths and the operation of international traffic on the corridor.*

*Justification*

*In order to improve cooperation between infrastructure managers concerning both the preparation of the working timetable and traffic management, the management board must require infrastructure managers to use technical solutions.*

## **Amendment 32**

### **Council position**

#### **Article 8 - paragraph 1 - point b**

*Council position*

*Amendment*

(b) the essential elements of the **transport and traffic** study referred to in paragraph 3;

(b) the essential elements of the study referred to in paragraph 3;

*Justification*

*This amendment aims to reintroduce Parliament's first reading.*

## Amendment 33

### Council position

#### Article 8 - paragraph 3

##### *Council position*

3. The management board shall ***periodically*** carry out ***a transport and traffic study*** relating to the observed and expected changes in the traffic in the freight corridor, covering the different types of traffic, both regarding the transport of freight and the transport of passengers.

##### *Amendment*

3. The management board shall carry out ***and periodically update a transport market study*** relating to the observed and expected changes in the traffic in the freight corridor, ***as a consequence of its being established***, covering the different types of traffic, both regarding the transport of freight and the transport of passengers.

***This study shall also review the socio-economic costs and benefits stemming from the establishment of the freight corridor***

##### *Justification*

*This amendment aims to reintroduce Parliament's first reading.*

## Amendment 34

### Council position

#### Article 8 - paragraph 3 a (new)

##### *Council position*

##### *Amendment*

***3a. A programme shall be drawn up for defining and improving performance in the freight corridor. In particular this programme shall include the common objectives, the technical choices and the schedule for the necessary measures in respect of the railway infrastructure and its equipment in order to implement all of the measures referred to in Articles 10 to 17. These measures shall avoid or minimise any restrictions affecting rail capacity.***

##### *Justification*

*This amendment aims to reintroduce Parliament's first reading.*

## Amendment 35

**Council position**  
**Article 8 - paragraph 4**

*Council position*

4. The implementation plan shall take into account the development of terminals to meet the needs of rail freight running on the freight corridor.

*Amendment*

4. The implementation plan shall take into account the development of terminals to meet the needs of rail freight running on the freight corridor ***in particular by acting as intermodal nodes along the freight corridors. These measures shall include cooperation with regional and local administrations. It must also take into account the implementation of appropriate safety measures for the transport of hazardous freight by rail.***

**Amendment 36**

**Council position**  
**Article 9**

*Council position*

The management board shall introduce consultation mechanisms with a view to the proper participation of the applicants likely to use the freight corridor. In particular, it shall ensure that applicants are consulted before the implementation plan referred to in Article 8 is submitted to the executive board.

*Amendment*

The management board shall introduce consultation mechanisms with a view to the proper participation of the applicants likely to use the freight corridor. In particular, it shall ensure that applicants ***and their representative bodies*** are consulted before the implementation plan referred to in Article 8 is submitted to the executive board.

*Justification*

*This amendment aims to reintroduce Parliament's first reading.*

**Amendment 37**

**Council position**  
**Article 9 - new paragraph**

*Council position*

*Amendment*

***In the event of a disagreement between the management board and the applicants, the latter may refer the matter to the regulatory bodies referred to in Article 18.***

*Justification*

*This amendment aims to reintroduce Parliament's first reading.*

**Amendment 38**

**Council position**

**Article 10 - paragraph 1- introductory part**

*Council position*

1. The management board shall draw up and periodically review an investment plan and shall submit it for approval to the executive board. This plan shall include:

*Amendment*

1. The management board shall draw up and periodically review an investment plan, ***including indicative medium and long term investment for infrastructure in the freight corridor***, and shall submit it for approval to the executive board. This plan shall include:

**Amendment 39**

**Council position**

**Article 10 - paragraph 1 a (new)**

*Council position*

*Amendment*

***1a. The investment plans referred to in paragraph 1 shall include a strategy for the growth of the capacity of freight trains which may run along the freight corridor, namely, for removing the identified bottlenecks, upgrading existing infrastructure and building new infrastructure. The strategy may include measures to increase the length, track gauge, loading gauge, speed management, load hauled or axle load authorised for the trains running along the freight corridor.***

*Justification*

*This amendment aims to reintroduce Parliament's first reading.*

## Amendment 40

### Council position

#### Article 10 - paragraph 1 b (new)

##### *Council position*

##### *Amendment*

***1b. The investment plans referred to in paragraph 1 shall be published in the document referred to in Article 16 and updated regularly. They shall form part of the implementation plan for the freight corridor.***

##### *Justification*

*This amendment aims to reintroduce Parliament's first reading.*

## Amendment 41

### Council position

#### Article 11

##### *Council position*

##### *Amendment*

The infrastructure managers concerned shall coordinate and publish, ***according to*** an appropriate manner and timeframe, their schedule for carrying out all the works on infrastructure and its equipment that would restrict available capacity on the freight corridor.

The management board shall coordinate and publish, ***in*** an appropriate manner and timeframe ***and in line with Article 6 of Directive 2001/14/EC***, their schedule for carrying out all the works on the infrastructure and its equipment that would restrict available capacity on the ***freight corridor***.

##### *Justification*

*This amendment aims to reintroduce Parliament's first reading.*

## Amendment 42

### Council position

#### Article 12 - paragraph 1

##### *Council position*

##### *Amendment*

1. The management board for a freight corridor shall designate or establish a joint body ***and/or an information system through collaboration between infrastructure managers*** offering applicants the opportunity to request, in a

1. The management board for a freight corridor shall designate or establish a joint body offering applicants the opportunity to request ***and to receive answers***, in a single place and in a single operation, ***regarding*** infrastructure capacity for freight trains

single place and a single operation, infrastructure capacity for freight trains crossing at least one border along the freight corridor (the "one-stop shop").

crossing at least one border along the freight corridor (hereinafter referred to as "one-stop shop").

#### **Amendment 43**

##### **Council position**

##### **Article 12 - paragraph 2**

###### *Council position*

***2. The one-stop shop shall also provide basic information concerning the allocation of the infrastructure capacity, including the information referred in Article 16.***

###### *Amendment*

***2. It shall display infrastructure capacity available at the time of request and its characteristics in accordance with pre-defined parameters, such as speed, length, loading gauge or axle load authorised for trains running on the freight corridor.***

#### **Amendment 44**

##### **Council position**

##### **Article 12 - paragraph 2 a (new)**

###### *Council position*

###### *Amendment*

***2a. The one-stop shop shall take a decision with regard to applications for facilitated freight train paths specified in Article 13(3) and for the reserve for capacity specified in Article 13(5). It shall inform the competent infrastructure managers of these applications and the decision taken, without delay.***

#### **Amendment 45**

##### **Council position**

##### **Article 12 - paragraph 3**

###### *Council position*

***3. The one-stop shop shall forward any application for infrastructure capacity without any delay to the competent infrastructure managers and, where relevant, the allocation bodies as referred to in Article 14(2) of Directive 2001/14/EC, who shall take a decision on that application in accordance with Article 13 and Chapter III of that Directive.***

###### *Amendment*

***3. For any request of infrastructure capacity which cannot be met pursuant to paragraph 2a, the one-stop shop shall forward the application for infrastructure capacity without any delay to the competent infrastructure managers and, where relevant, the allocation bodies as referred to in Article 14(2) of Directive 2001/14/EC, who shall take a decision on***

that application in accordance with Article 13 and Chapter III of that Directive ***and communicate this decision to the one-stop shop for further processing.***

#### Amendment 46

##### Council position

##### Article 12 - paragraph 4

###### *Council position*

4. The activities of the one-stop shop shall be carried out ***under transparent and non-discriminatory conditions***. These activities shall be subject to control of the regulatory bodies in accordance with Article 18.

###### *Amendment*

4. The activities of the one-stop shop shall be carried out ***in a transparent manner; to this end a register, made freely available to all interested parties to prevent any discrimination, shall be kept wherein the date requests, the names of the applicants, details of documentation supplied and of incidents are noted***. These activities shall be subject to *the* control of the regulatory bodies in accordance with Article 18.

#### Amendment 47

##### Council position

##### Article 12 a (new)

###### *Council position*

###### *Amendment*

###### ***Article 12a***

###### ***Standard categories of train paths in the corridors***

***1. The management board shall define and periodically update the standard categories of freight train paths, which shall be valid throughout the freight corridor. At least one of these categories (hereinafter referred to as "facilitated freight") shall include a train path with an efficient transport time and guaranteed punctuality.***

***2. The criteria defining the standard categories of freight traffic shall be adopted by the management board after consultation of the applicants likely to use the freight corridor as defined in Article 2 of Directive 2001/14/EC.***

## Amendment 48

### Council position

#### Article 13 - paragraph 1

##### *Council position*

**1. Member States shall cooperate on defining the framework for the allocation of the infrastructure capacity in the freight corridor in accordance with their competences as set out in Article 14(1) of Directive 2001/14/EC.**

##### *Amendment*

**1. The management board of the freight corridor and the advisory group referred to in Article 7(6) shall put in place procedures to ensure optimal coordination of the allocation of railway infrastructure capacity and terminal capacity.**

## Amendment 49

### Council position

#### Article 13 - paragraph 2

##### *Council position*

**2. The management board shall evaluate the need for capacity to be allocated to freight trains running on the freight corridor taking into account the *transport and traffic* study referred to in Article 8(3) of this Regulation, the requests for infrastructure capacity relating to the past and present working timetables and the framework agreements.**

##### *Amendment*

**2. The management board shall evaluate the need for capacity to be allocated to freight trains running on the freight corridor taking into account the *transport market* study referred to in Article 8(3), the requests for infrastructure capacity relating to the past and present working timetables and the framework agreements.**

##### *Justification*

*This amendment aims to reintroduce Parliament's first reading.*

## Amendment 50

### Council position

#### Article 13 - paragraph 3

##### *Council position*

**3. On the basis of the evaluation specified in paragraph 2 of this Article, infrastructure managers of the freight corridor shall jointly define and organise international pre-arranged train paths for freight trains following the procedure referred to in Article 15 of Directive 2001/14/EC**

##### *Amendment*

**3 On the basis of the evaluation specified in paragraph 2 of this Article, infrastructure managers of the freight corridor shall jointly define and organise international pre-arranged train paths for freight trains following the procedure referred to in Article 15 of Directive 2001/14/EC**



recognising the need for capacity of other types of transport, including passenger transport. These pre arranged paths shall be published no later than three months before the final date for receipt of requests for capacity referred to in Annex III to Directive 2001/14/EC. The infrastructure managers of several freight corridors may, if necessary, coordinate international pre arranged train paths offering capacity on the freight corridors concerned.

recognizing the need for capacity of other types of transport, including the passenger transport. ***Among these pre-arranged train paths, in accordance with the capacity available, there shall be a number of facilitated freight paths.*** These pre-arranged paths shall be published not later than three months before the final date for receipt of requests for capacity referred to in Annex III of Directive 2001/14/EC. The infrastructure managers of several freight corridors may, if necessary, coordinate international prearranged train paths offering capacity on the freight corridors concerned.

## Amendment 51

### Council position

#### Article 13 - paragraph 5 - subparagraph 1

##### *Council position*

5. Infrastructure managers shall, if justified by market need and the evaluation referred to in paragraph 2 of this Article, jointly define the reserve capacity for international freight trains running on the freight corridors ***recognising*** the need for capacity of other types of transport, including passenger transport and keep this reserve available within their final working timetables to allow them to respond quickly and appropriately to ad hoc requests for capacity as referred to in Article 23 of Directive 2001/14/EC. This capacity shall be reserved until the time-limit before its scheduled time as decided by the management board. This time limit shall not exceed ***90 days***.

##### *Amendment*

5. Infrastructure managers shall, if justified by market need and the evaluation as referred to in paragraph 2 of this Article, jointly define the reserve capacity for international freight trains running on the freight corridors ***respecting*** the need for capacity of other types of transport, including the passenger transport and keep this reserve available within their final working timetables to allow them to respond quickly and appropriately to ad hoc requests for capacity as referred to in Article 23 of Directive 2001/14/EC. This capacity shall be reserved until the time limit before its scheduled time as decided by the management board. This time limit shall not exceed ***30 days***.

##### *Justification*

*This amendment aims to reintroduce Parliament's first reading.*

## Amendment 52

### Council position

#### Article 13 - paragraph 5 - subparagraph 2

##### *Council position*

*The reserve capacity shall be determined on the basis of the evaluation specified in paragraph 2. Such reserve capacity shall be only made available provided that there is real market need.*

##### *Amendment*

*deleted*

## Amendment 53

### Council position

#### Article 13 - paragraph 6 a (new)

##### *Council position*

##### *Amendment*

***6a. Infrastructure managers shall include in their conditions of use a fee for paths that are allocated but ultimately not used. The level of this fee shall be appropriate, dissuasive and effective.***

##### *Justification*

*This amendment aims to reintroduce Parliament's first reading.*

## Amendment 54

### Council position

#### Article 13 - paragraph 7

##### *Council position*

##### *Amendment*

7. Save in the case of force majeure, a train path allocated to a freight operation ***under*** this Article may not be cancelled less than ***one month*** before its ***scheduled time in the*** working timetable ***except*** if the applicant concerned ***gives*** its approval for such cancellation. In such a case the infrastructure manager concerned shall make an effort to propose to the applicant a train path of an equivalent quality and reliability which the applicant has the right to accept or refuse. This provision shall be without prejudice to any rights the applicant may have under an agreement as

7. Save in the case of force majeure, ***and in the event of safety-critical line closures and construction work required at short notice on the railway infrastructure***, a train path allocated to a ***facilitated*** freight operation ***pursuant to*** this Article may not be cancelled less than ***three months*** before its working timetable if the applicant concerned ***does not give its*** approval for such cancellation. In such a case the infrastructure manager concerned shall make an effort to propose to the applicant a train path of an equivalent quality and reliability which the applicant has the right

referred to in Article 19(1) of Directive 2001/14/EC.

to accept or refuse. This provision shall be without prejudice to any rights the applicant may have under an agreement as referred to in Article 19(1) of Directive 2001/14/EC. ***In any case, the applicant may refer the matter to the regulatory body.***

## **Amendment 55**

### **Council position**

#### **Article 13 - paragraph 8**

##### *Council position*

8. The ***infrastructure managers*** of the freight corridor and the advisory ***group*** referred to in Article 7(6) shall put in place procedures to ensure optimal coordination of the allocation of capacity between infrastructure managers, both for requests as referred to in Article 12(1) and for requests received by infrastructure managers concerned. This shall also take account of access to terminals.

##### *Amendment*

8. The ***management board*** of the freight corridor and the advisory ***groups*** referred to in Article 7(6) ***and 7(6a)*** shall put in place procedures to ensure optimal coordination of the allocation of capacity between infrastructure managers, both for requests as referred to in Article 12(1) and for requests received by infrastructure managers concerned. This shall also take account of access to terminals.

## **Amendment 56**

### **Council position**

#### **Article 13 a (new)**

##### *Council position*

##### *Amendment*

##### ***Article 13a***

##### ***Authorised applicants***

***Notwithstanding Article 16(1) of Directive 2001/14/EC, applicants other than railway undertakings and the international groupings that they make up, may request train paths for freight transport where the latter concern several sections of the freight corridor.***

##### *Justification*

*This amendment aims to reintroduce Parliament's first reading.*

## Amendment 57

### Council position

#### Article 14 - paragraph 1

##### *Council position*

1. ***Infrastructure managers*** of the freight corridor shall put in place procedures for coordinating traffic management along the freight corridor ***and may put in place procedures for coordinating traffic management along several freight corridors.***

##### *Amendment*

1. ***The management board*** of the freight corridor shall put in place procedures for coordinating traffic management along the freight corridor.

## Amendment 58

### Council position

#### Article 14 - paragraph 1 - new subparagraph

##### *Council position*

##### *Amendment*

***The management boards of connected freight corridors shall put in place procedures for coordinating traffic along several freight corridors.***

## Amendment 59

### Council position

#### Article 15 - paragraph 1

##### *Council position*

##### *Amendment*

1. The management board shall ***adopt common targets for punctuality and/or guidelines for traffic management in the event of disturbance to train movements on the freight corridor.***

1. The management board shall ***draw up and publish in the network statement referred to in Article 3 of and Annex I to Directive 2001/14/EC the rules of priority between the different types of traffic in the event of traffic disruption in the freight corridor.***

## Amendment 60

### Council position

#### Article 15 - paragraph 2

##### *Council position*

##### *Amendment*

2. ***Each infrastructure manager concerned shall draw up priority rules for***

***deleted***

*the management between the different types of traffic in the part of the freight corridors within the responsibility of that infrastructure manager in accordance with the common targets and/or guidelines referred to in paragraph 1 of this Article. Those priority rules shall be published in the network statement referred to in Article 3 of Directive 2001/14/EC.*

## **Amendment 61**

### **Council position Article 15 - paragraph 3**

#### *Council position*

3. The principles for establishing the priority rules shall at least provide that the train path referred to in Article **13(3) and (5)** allocated to freight trains which comply with their scheduled time in the working timetable shall not be modified, as far as possible. The principles for establishing the priority rules shall aim at minimising the overall network recovery time with regard to the need of all types of transport. For this purpose, infrastructure managers may coordinate the management between the different types of traffic along several freight corridors.

#### *Amendment*

3. The principles for establishing the priority rules shall at least provide that the train path referred to in Article **12a (1)** allocated to freight trains which comply with their scheduled time in the working timetable shall not be modified, as far as possible. The principles for establishing the priority rules shall aim at minimising the overall network recovery time with regard to the need of all types of transport. For this purpose, infrastructure managers may coordinate the management between the different types of traffic along several freight corridors.

## **Amendment 62**

### **Council position Article 16 - point c**

#### *Council position*

c) the information concerning the procedures referred to in Articles **13(8)** and **14(2)**; and

#### *Amendment*

c) the information concerning the procedures referred to in Articles **12, 13, 13a, 14** and **15**; and

## Amendment 63

### Council position

#### Article 17 - paragraph 1

##### *Council position*

1. **Infrastructure managers** of the freight corridor shall ***promote compatibility*** between the performance schemes referred to in Article 11 of Directive 2001/14/EC.

##### *Amendment*

1. **The management board** of the freight corridor shall ***ensure consistency*** between the performance schemes along the freight corridor, ***as referred to*** in Article 11 of Directive 2001/14/EC. ***This consistency shall be overseen by the regulatory bodies, which shall cooperate with regard to this oversight in accordance with Article 18(1).***

## Amendment 64

### Council position

#### Article 17 - paragraph 1 a (new)

##### *Council position*

##### *Amendment*

***1a. In order to measure the quality of the service and the capacity for international and national rail freight services in the freight corridor, the management board and the advisory group referred to in Article 7(6) shall define the performance indicators in the freight corridor and publish them at least once a year. The implementation rules for these indicators shall be laid down, where applicable, in accordance with the regulatory procedure referred to in Article 19(3).***

## Amendment 65

### Council position

#### Article 18 - paragraph 1 - new subparagraph

##### *Council position*

##### *Amendment*

***The management board and other third parties involved in international capacity allocation are obliged to provide the regulatory bodies concerned with all the information that is needed on the international train paths and capacity they are responsible for, without delay.***

## Amendment 66

### Council position

#### Article 18 - paragraph 1 a (new)

##### *Council position*

##### *Amendment*

***1a. The regulatory bodies referred to in Article 30 of Directive 2001/14/EC shall ensure non-discriminatory access to the corridor and shall be the appeal bodies provided under Article 30(2) of Directive 2001/14/EC. In order to foster free and fair competition on the railway market in Europe a comparable regulatory level shall be established throughout Europe. Regulatory bodies shall be easily accessible by the market players. They shall be able to take decisions independently and efficiently. They shall have sufficient financial and competent human resources to enable them to investigate all complaints within two months of receipt of all relevant information.***

##### *Justification*

*Divergent regulatory standards favour unfair competition in the rail market. In order to ensure non-discriminatory access to the corridor a comparable regulatory level must be established in all Member States.*

## Amendment 67

### Council position

#### Article 18 - paragraph 2

##### *Council position*

##### *Amendment*

2. In the event of a complaint ***to a regulatory body*** from an applicant regarding international rail freight services, or within the framework of ***an own-initiative investigation by a regulatory body***, ***this regulatory body shall consult the regulatory bodies of all other Member States through which the international train path for freight train concerned runs and request all necessary information from them*** before taking its decision.

2. In the event of a complaint from an applicant regarding international rail freight services, or within the framework of ***a routine enquiry***, ***the regulatory body concerned shall consult the regulatory body of any other Member State on the territory of which the freight corridor concerned passes and ask it for the necessary information before taking its decision. The other regulatory bodies shall provide all the information that they***

*themselves have the right to request under their national legislation. Where necessary, the regulatory body receiving the complaint or having initiated the routine enquiry shall transfer the file to the regulatory body responsible in order to take measures regarding the parties concerned in accordance with the procedure established in Article 30(5) and (6) of Directive 2001/14/EC.*

*Justification*

*This amendment aims to reintroduce Parliament's first reading.*

**Amendment 68**

**Council position**

**Article 20 - paragraph 1**

*Council position*

1. The power to adopt the delegated acts referred to in **Article 4(8)** shall be conferred on the Commission for a period of five years following the entry into force of this Regulation. The Commission shall make a report in respect of the delegated powers at the latest six months before the end of the five year period. The delegation of power shall be automatically extended for periods of an identical duration, unless the European Parliament or the Council revokes it in accordance with Article 21.

*Amendment*

1. The power to adopt the delegated acts referred to in **Articles 3(2a), 3(2b), 4(5), 4(6) and 4(9)** shall be conferred on the Commission for a period of five years following the entry into force of this Regulation. The Commission shall make a report in respect of the delegated powers at the latest six months before the end of the five year period. The delegation of power shall be automatically extended for periods of an identical duration, unless the European Parliament or the Council revokes it in accordance with Article 21.

*Justification*

*This amendment brings the wording for the delegated acts procedure in line with the wording agreed between the institutions in other files.*

**Amendment 69**

**Council position**

**Article 21 - paragraph 1**

*Council position*

1. The delegation of power referred to in Article 20 may be revoked by the European Parliament or by the Council.

*Amendment*

1. The delegation of power referred to in Article 20 may be revoked **at any time** by the European Parliament or by the Council.



### *Justification*

*This amendment brings the wording for the delegated acts procedure in line with the wording agreed between the institutions in other files.*

#### **Amendment 70**

##### **Council position**

##### **Article 21 - paragraph 2**

###### *Council position*

2. The institution which has commenced an internal procedure for deciding whether to revoke the delegation of power shall inform the other institution and the Commission ***at the latest one month*** before the final decision is taken, ***stating*** the delegated powers which could be subject to revocation and the reasons for a revocation.

###### *Amendment*

2. The institution which has commenced an internal procedure for deciding whether to revoke the delegation of power shall ***endeavour to*** inform the other institution and the Commission ***within a reasonable time*** before the final decision is taken, ***indicating*** the delegated powers which could be subject to revocation and ***possible*** reasons for a revocation.

### *Justification*

*This amendment brings the wording for the delegated acts procedure in line with the wording agreed between the institutions in other files.*

#### **Amendment 71**

##### **Council position**

##### **Article 22 - paragraph 1**

###### *Council position*

1. The European Parliament or the Council may object to the delegated act within a period of ***three*** months from the date of notification.

###### *Amendment*

1. The European Parliament or the Council may object to the delegated act within a period of ***two*** months from the date of notification.

### *Justification*

*This amendment brings the wording for the delegated acts procedure in line with the wording agreed between the institutions in other files.*

#### **Amendment 72**

##### **Council position**

##### **Article 22 - paragraph 1 - new subparagraph**

###### *Council position*

###### *Amendment*

***At the initiative of the European***

***Parliament or the Council this period shall be extended by two months.***

*Justification*

*This amendment brings the wording for the delegated acts procedure in line with the wording agreed between the institutions in other files*

**Amendment 73**

**Council position**

**Article 22 - paragraph 2**

*Council position*

2. If, on expiry of that period, neither the European Parliament nor the Council has objected to the delegated act, ***or if, before that date, the European Parliament and the Council have both informed the Commission that they have decided not to raise objections, the delegated act shall enter into force at the date stated therein.***

*Amendment*

2. If, on expiry of that period, neither the European Parliament nor the Council has objected to the delegated act, ***it shall be published in the Official Journal of the European Union and shall enter into force at the date stated therein.***

*Justification*

*This amendment brings the wording for the delegated acts procedure in line with the wording agreed between the institutions in other files.*

**Amendment 74**

**Council position**

**Article 22 - paragraph 2 - new subparagraph**

*Council position*

***The delegated act may be published in the Official Journal of the European Union and enter into force before the expiry of that period if the European Parliament and the Council have both informed the Commission of their intention not to raise objections.***

*Amendment*

*Justification*

*This amendment brings the wording for the delegated acts procedure in line with the wording agreed between the institutions in other files.*

## Amendment 75

### Council position Article 24 a (new)

*Council position*

*Amendment*

#### *Article 24a*

##### *Review*

***If, where the TEN-T guidelines are reviewed in accordance with the procedures referred to in Article 21 of Decision No 1692/96/EC, the Commission concludes that it is appropriate to adapt this Regulation to those guidelines, it shall present to the European Parliament and the Council a proposal on amending this Regulation accordingly. Similarly, certain decisions taken under this Regulation may entail the need to revise the TEN-T guidelines.***

##### *Justification*

*This amendment aims to reintroduce Parliament's first reading.*

## Amendment 76

### Council position Annex I - point 4

*Council position*

*Amendment*

Sines-Lisboa/Leixões

Sines-Lisboa/Leixões

-Madrid-San Sebastian-Bordeaux-  
Paris-  
Metz

-Madrid-**Bilbao**-San Sebastian-  
Bordeaux-Paris/**Le Havre**/Metz

Sines-Elvas/Algeciras

Sines-Elvas/Algeciras

##### *Justification*

*Given the importance of the port of Le Havre for container traffic (63% of all containers handled in French ports) and the benefits of strengthening coordination between the three large ports on the Seine (Paris-Rouen-Le Havre), the inclusion of Le Havre will foster the cohesive development of economic activity and extend the artery's hinterlands. This is in line with amendment 16 by the Rapporteur, the Council position and the recommendations made by Parliament in its own-initiative report on the future of TEN-T.*

## Amendment 77

**Council position**  
**Annex I - point 5**

*Council position*

Gdynia-Katowice-Ostrava/Zilina-Vienna-Trieste/**Koper**

*Amendment*

Gdynia - **Warsaw** -Katowice-Ostrava/Zilina-**Bratislava**/Vienna- **Graz - Klagenfurt - Udine- Venice**/ Trieste /**Koper/Bologna/Ravenna**

*Justification*

*Freight corridor no. 5 has been already draft at Ministerial level in 2006 according to the Baltic-Adriatic corridor, pan-European corridor VI and TEN-T PP 23 and 25 (see the letter of interest signed by Ministers, enclosed). Annex I to the Council position doesn't mention some important cities in the section between Vienna and Trieste and already included in the itinerary by the Ministers letter.*

**Amendment 78**

**Council position**  
**Annex I - point 6**

*Council position*

Almeria-Valencia/ Madrid-Zaragoza/Barcelona-Marseille-Lyon-Turin-**Udine**-Trieste/Koper-Ljubljana-Budapest-Zahony (Hungary-Ukraine border)

*Amendment*

Almería-Valencia/ Madrid-Zaragoza/Barcelona-Marseille-Lyon-Turin - **Milan-Verona - Padua/Venice** - Trieste/Koper-Lubljana-Budapest-Zahony (Hungary-Ukraine border)

*Justification*

*Freight corridor no. 6, which is based on TEN-T PP 6, has a gap in the section between Turin and Trieste, whereas PP 6 has a more precise itinerary across Northern Italy.*

**Amendment 79**

**Council position**  
**Annex I - point 8**

*Council position*

DE, NL, BE, PL, LT Bremerhaven/Rotterdam/Antwerp-Aachen/ Berlin-Warsaw-Terespol (Poland-Belarus border)/Kaunas-

*Amendment*

DE, NL, BE, PL, LT, **LV, EST** Bremerhaven/ Rotterdam/ Antwerp-Aachen/ Berlin-Warsaw-Terespol (Poland-Belarus border)/Kaunas-**Riga-Tallinn**

**Amendment 80**

**Council position**  
**Annex I - footnote 1**

*Council position*

<sup>1</sup> "/" means alternative routes.

*Amendment*

<sup>1</sup> "/" means alternative routes. ***In line with the TEN-T priority projects, routes 4 and 6 should in the future be completed by Project 16, the Sines/Algeciras-Madrid-Paris freight axis which takes in the central Pyrenees crossing via a low elevation tunnel.***

**Amendment 81**

**Council position**  
**Annex II**

*Council position*

*Amendment*

***Annex deleted***