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**REPORT FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT AND
THE COUNCIL**

on the exercise of the power to adopt delegated acts conferred on the Commission pursuant to Regulation (EU) No 1315/2013 of the European Parliament and of the Council of 11 December 2013 on Union guidelines for the development of the trans-European transport network and repealing Decision No 661/2010/EU

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1. INTRODUCTION

Regulation (EU) No 1315/2013 of the European Parliament and of the Council *on Union guidelines for the development of the trans-European transport network and repealing Decision No 661/2010/EU*¹ sets out a long-term strategy for the development of a complete trans-European transport network (TEN-T), consisting of infrastructure for railways, maritime and air transport, roads, inland waterways and rail-road terminals. The regulation covers the identification of the elements of the TEN-T, their technical standards as well as the requirements for interoperability of infrastructures and defines priorities for the development of the TEN-T.

Article 49(4) of Regulation (EU) No 1315/2013 empowers the Commission to adopt delegated acts concerning the adaptation of Annexes I and II to take account of possible changes resulting from the quantitative thresholds applicable to certain components of the TEN-T. These requirements are laid down in Articles 14, 20, 24 and 27 of this Regulation.

Article 49(6) of Regulation (EU) No 1315/2013 empowers the Commission to adopt delegated acts concerning the adaptation of Annex III in order to include or adapt indicative maps of neighbouring countries.

2. LEGAL BASIS

This report is required under Article 53(2) of Regulation (EU) No 1315/2013.

3. EXERCISE OF THE DELEGATION

3.1. Adaptations of the list and the maps based on statistical data

Annex I to Regulation (EU) No 1315/2013 contains maps of the comprehensive and core networks which define the scope of Regulation (EU) No 1315/2013 and identify projects of common interest. Annex II to this Regulation establishes the list of nodes of the core and comprehensive network.

Under Article 49(4) of Regulation (EU) No 1315/2013, the Commission is empowered to adopt delegated acts which will adapt the maps and lists annexed to the Regulation as regards the quantitative thresholds which are necessary to be met by sea and inland ports, airports and rail-road terminals to be part of the TEN-T. These adaptations are based on the latest available statistics published by Eurostat or, if not available, by the national statistical offices. The Commission may also adjust the maps for road, railway and inland waterway infrastructure in a strictly limited way so as to reflect progress in completing the network.

¹ OJ L 348, 20.12.2013, p. 1

The Commission launched the updating process at the TEN-T Committee meeting held on 30 September 2015 and consulted experts of Member States' competent authorities, in the presence of experts of the European Parliament, in a meeting on 9 December 2015 and on 16 March 2016.

Based on this consultation process and analysis of the available data, the Commission adopted on 7 December 2016 the Delegated Regulation (EU) No 2017/849².

The adaptations laid down in the delegated regulation do not include exclusions according to point (b) of Article 49(4) since this assessment will only be relevant six years after the adoption of the Regulation (EU) No 1315/2013.

3.2. Adaptations of the indicative maps of the neighbouring countries

Annex III to Regulation (EU) No 1315/2013 contains indicative maps of certain neighbouring countries.

Article 49(6) of the Regulation (EU) No 1315/2013 provides for the possibility to adopt delegated acts to adapt those maps or to include maps of further neighbouring countries, based on high-level agreements on transport infrastructure networks between the Union and the neighbouring countries concerned.

The Commission used this delegation in the following instances:

a) The Commission adopted on 17 January 2014 the Delegated Regulation No 473/2014³. This regulation concerns the lines of the railway and road network, as well as the ports, airports and rail-road terminals on the comprehensive network in the following third countries: Belarus, Ukraine, Moldova, Georgia, Armenia, Azerbaijan and Russia.

b) The Commission adopted on 4 February 2016 the Delegated Regulation No 2016/758⁴. This regulation concerns the identification of the core network connections on the comprehensive network maps of the railway and road networks, as well as ports and airports in the following third countries: Albania, Bosnia and Herzegovina, Kosovo^{*}, the Republic of North Macedonia, Montenegro and Serbia.

c) The Commission adopted on 9 November 2018 the Delegated Regulation No 2019/254⁵. This regulation concerns the revision of the indicative extension of the comprehensive TEN-T maps, as well as the identification of the core network connections on the comprehensive

² Commission Delegated Regulation (EU) 2017/849 of 7 December 2016 amending Regulation (EU) No 1315/2013 of the European Parliament and of the Council as regards the maps in Annex I and the list in Annex II to that Regulation, OJ L 128I, 19.5.2017, p. 1

³ Commission Delegated Regulation (EU) No 473/2014 of 17 January 2014 amending Regulation (EU) No 1315/2013 of the European Parliament and of the Council as regards supplementing Annex III thereto with new indicative maps, OJ L 136, 9.5.2014, p. 10

⁴ Commission Delegated Regulation (EU) 2016/758 of 4 February 2016 amending Regulation (EU) No 1315/2013 of the European Parliament and of the Council as regards adapting Annex III thereto, OJ L 126, 14.5.2016, p. 3

^{*} This designation is without prejudice to positions on status, and is in line with UNSCR 1244/1999 and the ICJ Opinion on the Kosovo declaration of independence.⁵ Commission Delegated Regulation (EU) 2019/254 of 9 November 2018 on the adaptation of Annex III to Regulation (EU) No 1315/2013 of the European Parliament and of the Council on Union guidelines for the development of the trans-European transport network.

⁵ Commission Delegated Regulation (EU) 2019/254 of 9 November 2018 on the adaptation of Annex III to Regulation (EU) No 1315/2013 of the European Parliament and of the Council on Union guidelines for the development of the trans-European transport network.

network maps in the following third countries: Armenia, Azerbaijan, Belarus, Republic of Moldova and Ukraine⁶.

Prior to the adoption of all the delegated acts referred to above, the Commission consulted experts from the Member States and the representatives of the European Parliament.

4. CONCLUSION AND OUTLOOK FOR THE FUTURE

The Commission invites the European Parliament and the Council to take note of this Report.

In the future, the Commission plans to use its delegated powers for the further adaptations of the Annexes I, II and III to Regulation (EU) 1315/2013.

⁶ The Commission adopted on 2 February 2017 a delegated regulation to adapt the indicative maps of the TEN-T core network in Turkey and the Eastern Partnership countries based on Article 49(6) of the TEN T Regulation. However, the Commission decided to withdraw this delegated regulation due to the concerns expressed by the Member States. Hence, the delegation was not executed at this instance.