

FAQ ON EX ANTE CONDITIONALITIES RELATING TO TRANSPORT

This list of frequently asked questions is based on comments received from Member States (MS) on Part II of the Guidance on ex ante conditionalities as regards transport issues. It is also based on questions raised by REGIO's geographical units.

- "Why is rationale for a comprehensive investment plan only very general?"

Commission's reply: In the framework of Thematic Objective 7, the purpose of a comprehensive transport plan, , is mainly to ensure the consistency of transport investment priorities with the TEN-T Guidelines (i.e. bridging missing links and remove bottlenecks in the core TEN-T network and the comprehensive network, and promoting an efficient use of infrastructure) and to provide a long term framework for the development of the different transport modes, identifying strategies, priorities for funding, etc.

Sufficient capacity of intermediate bodies and beneficiaries is also a key condition to ensure the effectiveness and efficiency of EU support to investments in transport.

In its assessment of the fulfilment of this ex ante conditionality, the Commission will therefore check whether the investment priorities included in the comprehensive transport framework/plan do contribute to the single European Transport Area, either in connecting main nodes of the TEN-T network or in enhancing regional mobility. It will also check whether Member States have taken measures to ensure the sufficient capacity of intermediate bodies and beneficiaries to deliver the project pipeline identified in the framework/plan.

Transport plan(s) / framework(s)

- "The conditionality refers to a comprehensive transport plan, plans, framework or frameworks. What is the difference between a plan and a framework? What we expect to see in the transport framework that is different from the transport plan?"

Commission's reply: The key difference between a transport framework and a transport plan is that a framework can consist of several documents. Article 2(2) of the CPR provides for a definition of a "strategic policy framework":

"A strategic policy framework means a document or a set of documents established at national or regional level, which sets out a limited number of coherent priorities established on the basis of evidence and a timeframe for the implementation of those priorities and which may include a monitoring mechanism".

The terminology might be different from one MS to the other but there is no difference as regards the content of the assessment of the conditionality.

- "EAC 7.2 and 7.3 require the existence within the comprehensive transport plan or plans or framework or frameworks of a section on railway development (7.2) and another one on inland-waterways and maritime transport, ports, multimodal links and airport infrastructure (7.3). Does the Commission expect the existence of formal

sections in the master plan provided to the Commission or would it be sufficient to have information covering those requirements in distinguished documents?"

Commission's reply: When asking for ERDF/CF support in the field of transport – whatever the type of investments envisaged (road/ railway/other modes of transport), Member States will have to prepare a comprehensive transport plan (or frameworks), containing a specific section on railway and another one on other modes of transport.

In practical terms, information relating to rail and other modes of transport can be found in specific documents and do not need necessarily to appear as specific chapters of the comprehensive transport plan. In such a case, Member States will however need to explain the coherence and the complementarity of these documents in relation to the comprehensive plan(s)/framework(s).

- "At which level should be checked the legal requirements for SEA? Our understanding is that these would not be required at the level of a framework, but rather programmes or specific plans that may be part of this."

Commission's reply: Whatever their format comprehensive transport plan(s) or framework(s) should comply to the legal requirements of the SEA (environmental report, availability to the public and the authorities with specific environmental responsibilities; trans-boundary consultation; disclosure).

Indeed, be it one document or a set of several documents/plans/programmes, a comprehensive transport framework is supposed to *set out a limited number of coherent priorities* (cf. Article 2(2) of the CPR). In view of this, it might therefore have a direct impact on the environment, which triggers the need for an SEA analysis.

Moreover, according to Articles 4(3) and 5(3) of the SEA Directive, when a plan or programme form part of a hierarchy, in order to avoid the duplication of the assessments, the relevant information already available on environmental effects may be used for preparing the environmental report.

The environmental report prepared pursuant to Article 5(1) of the SEA Directive shall include the information that may reasonably be required taking into account current knowledge and methods of assessment, the contents and level of detail in the plan or programme, its stage in the decision-making process and the extent to which certain matters are more appropriately assessed at different levels in that process in order to avoid duplication of the assessment.

For more details, see the Commission guidance on the implementation of the SEA Directive http://ec.europa.eu/environment/eia/pdf/030923_sea_guidance.pdf

Secondary connectivity and urban mobility

- "MS ask for a clear definition of secondary and tertiary nodes."

Commission's reply: There is no legal definition of secondary and tertiary nodes in the EU legislation. However, Member States need to pay attention to the distinction between the

nodes, which are part of the TEN-T network, and the nodes that need to be connected to the TEN-T network to enhance regional mobility.

On the one hand, Member States may refer to the definition of primary, secondary and tertiary nodes of the TEN-T network included in the methodology described in the Commission Staff Working Document on "The New Trans-European Transport Network Policy Planning and implementation issues" (SEC(2011) 101 final). This methodology has subsequently been agreed with the Council and the European Parliament: "The planning methodology for the trans-European transport network (TEN-T)" - SWD(2013) 542 final, adopted by the European Commission on 7.1.2014.":

- Identification of "primary nodes": These are the nodes (cities, conurbations, airports, ports etc.) of highest strategic importance in the EU – either for passenger traffic, or for freight traffic or for both types of traffic. They have been identified at the beginning of the planning process and define the overall Core Network configuration.

- Identifying the links between the "primary nodes" and determining "secondary nodes": The "primary nodes" are connected through multimodal links. The branching and/or crossing points, resulting from such combination, may turn into "secondary nodes", provided they represent adequate cities and/or multi-modal connections.

- Routing of links and identification of "tertiary nodes": To optimise the effectiveness and efficiency of the Core Network, the multi-modal links can also string smaller cities and connections between modes where appropriate. Such cities and connecting points become "tertiary nodes."

On the other hand, Article 5(7)(b) of the ERDF Regulation refers to the need to enhance regional mobility through connecting secondary and tertiary nodes to the TEN-T infrastructure, including multimodal nodes.

- Definition of "secondary connectivity"

Commission's reply: There is no legal definition of "Secondary connectivity" in the EU legislation. However, this should be interpreted in the light of Article 5(7)(b) of the ERDF Regulation as connections to the TEN-T infrastructure.

- Question on the reading of the transport ex-ante conditionality. "How should we consider the bracket in the definition of this EAC "(including public transport at regional and local level)"? Does the master plan on transport only cover national transport networks (i.e. long-distance transport)?"

Commission's reply: EAC 7.1 relating to transport (Annex XI Part I of the CPR) does include a reference to "public transport at regional and local level":

7.1 Transport: The existence of a comprehensive plan or plans or framework or frameworks for transport investment in accordance with the Member States' institutional set-up (including public transport at regional and local level) which supports infrastructure development and improves connectivity to the TEN-T comprehensive and core networks.

The reference to public transport at regional and local level has to be related to secondary connectivity (as mentioned in the criteria for fulfilment). This means in practice that Member States /managing authorities should ensure that their comprehensive transport plan(s) / framework(s) provide(s) information on their priorities for investment in secondary

connectivity and show(s) how investments in this field will contribute to the Single European Transport Area.

The level of detail will depend on each Member State. As regards Romania, a focus on Bucharest and other major regional areas would seem opportune.

- "Is there any *ex ante* conditionality applying to urban mobility investments?"

Commission's reply: Urban mobility is covered by the following investment priority, under thematic objective 4 (shift to low-carbon economy): *Promoting low-carbon strategies for all types of territories, in particular for urban areas, including the promotion of sustainable multi-modal urban mobility and mitigation relevant adaptation measures* (Article 5(4)(e) ERDF & Article 3(a)(v) CF).

Annex XI Part I of the CPR does not require any specific *ex ante* conditionality relating to ERDF / CF support to urban mobility. Indeed, despite the great interest of "sustainable urban mobility plans" in the analysis and selection of investment priorities, there is no legal basis in the CPR for requesting Member State / Managing authorities to develop such plans when asking for ESI Funds support.

However, when preparing the comprehensive transport plan(s)/framework(s) required for any investments in the field of transport (*ex ante* conditionality 7.1 on Transport – Annex XI of the CPR), Member States shall give particular consideration to measures that are necessary for "mitigating exposure of urban areas to negative effects of transiting rail and road transport" (Art. 10.2 of TEN-T Guidelines). This plan should also provide information on priorities for investment in secondary connectivity, by showing how those investments will contribute to the Single European Transport Area. Though the level of detail as regards secondary connectivity and public transport at regional and local level will depend on each Member State a focus on major regional areas will seem opportune.

- "Is it possible that TO 4 contains metro, tram and rural suburb investments?"

Commission's reply: According to Article 5(4)(e) ERDF & Article 3(a)(v) CF, sustainable multi-modal urban mobility is included among the investment priorities that can be funded under TO4. Therefore, investments linked to metro and tram can be supported if Member States can demonstrate how their investments will contribute to climate change objectives. ERDF and CF support to urban mobility should also focus on multi-modality as drafted in the text of the regulations.

Since urban is understood as including "functional urban areas", related investment in rural suburbs are eligible providing they are part of functional urban areas and they contribute to sustainable urban mobility.

Accessibility in railway (7.2)

Commission's reply: When asking for ERDF/CF support in the field of transport – whatever the type of investments envisaged (road/ railway/other modes of transport), Member States will have to prepare a comprehensive transport plan(s) /framework(s) containing a specific section on railway and another one on other modes of transport.

This comprehensive transport plan should be consistent with the priorities mentioned in Article 10 (general priorities) of the TEN-T Guidelines¹ (including the reference to accessibility for all users). Therefore, the railway chapter should also cover accessibility requirements.

Support to other modes of transport (7.3)

- "What are the requirements to get support from the ESI Funds to finance ports investments?" [This question goes beyond the scope of ex ante conditionalities.]

Commission's reply: Ports investments can be supported in principle in all regions by the Cohesion Fund and the ERDF under two investment priorities under thematic objective 7 ("*promoting sustainable transport and removing bottlenecks in key network infrastructures*"):

- On one hand, as supporting a multimodal Single European Transport Area by investing in the Trans-European Transport network (TEN-T) (Art 3 (d) (i) of the CF Regulation and Art. 5 (7) (a) of the ERDF Regulation);

- On the other, as part of low-carbon transport systems (Art. 3 (d) (ii) of the CF Regulation and Art. 5 (7) (c) of the ERDF Regulation: "*developing and improving environmentally-friendly (including low-noise) and low-carbon transport systems, including inland waterways and maritime transport, ports, multimodal links and airport infrastructure, in order to promote sustainable regional and local mobility*").

In both cases, Member States will have to fulfil *ex ante* conditionalities requirements relating to transport, while preparing their Partnership Agreement and Operational Programmes. They shall introduce a section referring to port investments in the comprehensive transport plan(s) / framework(s) that they need to present to the Commission when asking for ERDF or CF support in this field.

The purpose of this comprehensive transport plan is mainly to ensure the consistency of transport investment priorities with the TEN-T Guidelines (i.e. bridging missing links and remove bottlenecks in the core TEN-T network and the comprehensive network, and promoting an efficient use of infrastructure) and to provide a long term framework for the development of the different transport modes, identifying strategies, priorities for funding, etc.

Moreover, when negotiating the content of the programmes, the Commission will assess the specific needs of Member States to invest in ports, taking account of the recommendation made by the Court of Auditors. The focus of interventions should be on improved access where it can be demonstrated that such access would improve the prospects for economic development within one or more regions.

¹ 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):

<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2013:348:FULL:EN:PDF>

- "It is not clear, why Infrastructure Development Plan should include section concerning all types of transport modes although only selected transport modes will be supported by concerned operational programme."

Commission's reply: The purpose of the comprehensive transport plan is mainly to ensure the consistency of transport investment priorities with the priorities of the TEN-T Guidelines (see Article 10 of the TEN-T Guidelines) and to provide a long term framework for the development of the different transport modes, identifying strategies, priorities for funding, etc.

In view of this, the plan / framework shall especially contain measures "ensuring optimal integration of the transport modes and interoperability within transport modes". It is therefore appropriate to develop a comprehensive transport plan/ framework covering all available types of transport that can be mobilised to contribute to the single European Transport Area, even though not all of them might get support from the ERDF or CF. The existence of a single transport plan offers the opportunity to have a complete and integrated overview of the strategies adopted by the national /regional government and the priorities for investment in each transport mode can influence another mode . Inter-modality is a crucial dimension that can only be checked against a comprehensive plan, covering the different transport modes regardless of their source of funding.

- "We would suggest that the ex-ante conditionalities related to maritime transport regulations should not apply for those countries without a sea (landlocked countries)."

Commission's reply: As mentioned before, comprehensive transport plans / frameworks should deal with all available types of transport within a Member State that can be mobilised to contribute to the single European Transport Area. Therefore, the Commission does not expect landlocked countries to deal with maritime transport.

- "The minimum requirements to ports and airports (as concerns freight and passenger transport capacity) are currently set so high that they cannot realistically be achieved by ports and airports of the smaller Member States. In order to be able to support investments to improve priority ports and/or airports that are of strategic importance, eligible and possible taking into account state aid regulations, those minimum requirements should be set at a lower capacity level or exceptions stipulated for the smaller Member States."

Commission's reply: As mentioned in Recital 26 of the TENT-Guidelines (Regulation (EU) No 1315/2013), the achievement of "*modal integration across the network (...) entails the implementation of specific requirements throughout the network in terms of infrastructure, telematic applications, equipment and services. It is therefore necessary to ensure adequate and concerted deployment of such requirements across Europe for each transport mode and for their interconnection across the trans-European transport network and beyond, in order to obtain the benefits of the network effect and to make efficient long-range trans-European transport operations possible.*"

Article 57 of the TEN-T Guidelines foresees only one case of exemptions for railways provisions in Cyprus and Malta, and in particular to the requirement to connect airports and ports to railways, as long as no railway system is established within their territory.

2nd criterion for fulfilment: contribution to the single European Transport Area consistent with Art. 10 of the TEN-T Guidelines

- "We consider that the Commission should take account of the island nature of some MS and their institutional structure in assessing the fulfilment of the following sub-criterion: *The investment priorities included in the comprehensive transport plan or framework connect the identified main nodes and provide for connections with neighbouring countries 'transport infrastructure networks.*

Indeed, transport investment, and therefore the framework is a responsibility of devolved administrations and the main connection may be with another part of the island, even if the investment is linked to the TENS-T map."

Commission's reply: According to Article 19(3) of the CPR, the Commission will take account of the Member States' institutional set-up in assessing the fulfilment of applicable ex ante conditionalities against the criteria mentioned in Annex XI Part I of the CPR.

Sub-criteria identified in the assessment grid aim at describing the Commission's expectations regarding the fulfilment of each criterion and at ensuring consistency between Member States through a common framework.

In the present case, the Commission will check whether the investment priorities included in the comprehensive transport framework do contribute to the single European Transport Area, either in connecting main nodes of the TEN-T network or in enhancing regional mobility.

- "We consider that the plan(s) or framework(s) for transport shall not necessarily include measures contributing to all of the priorities, mentioned in Art. 10 of the TEN-T Guidelines. Depending on the national situation, the plans will put emphasis on some of those objectives with less focus on others. The Commission should keep in mind that Article 10 of the TEN-T Regulation is not single-mode and that TEN-T Regulation provides various protections/flexibilities (e.g. state of domestic finances, commercial viability of projects)."

Commission's reply: The fulfilment of EAC 2.2 will be checked against the criteria for fulfilment mentioned in Annex XI Part I of the CPR.

In view of this, the comprehensive transport plan(s)/framework(s) should set out the contribution to the single European Transport Area consistent with Article 10 of Regulation 1315/2013 of the EP and the Council on Union Guidelines for the development of the TEN-T, including priorities for investments in the core TEN-T network and the comprehensive network where investment from the ERDF and CF is envisaged; and secondary connectivity.

This/these plan(s)/framework(s) need(s) to be fully **consistent with the general priorities mentioned in Art. 10**, while taking into account the development needs identified at national / regional level.

According to the priorities pursued by the ERDF and the CF, it shall especially include measures that are necessary for:

- ensuring optimal integration of the transport modes and interoperability within transport modes

- improving or maintaining the quality of infrastructure in terms of safety, security, efficiency, climate and where appropriate disaster resilience, environmental performances, social conditions, accessibility for all users, including elderly people, persons with reduced mobility and disabled passengers, as well as the quality of services and continuity of traffic flows.

Particular consideration shall also be given to measures that are necessary for mitigating exposure of urban areas to negative effects of transiting rail and road transport.

- "What is exactly meant by „accessibility for all users“? This term need to be clarified."

Commission's reply: According to Article 37 of the TEN-T Guidelines, "*transport infrastructure shall allow seamless mobility and accessibility for all users, in particular elderly people, persons of reduced mobility and passengers with a disability.*"

- "Why should be „promoting innovative technological development“ and “ensuring fuel security by promoting the use of alternative and in particular low or zero carbon energy sources and propulsion systems; assessment of the overall impact on energy sector induced by the transport sector” included in the transport plan (framework)?

This is not a usual part of comprehensive plans for transport investments and probably this cannot be included in the already existing plans."

Commission's reply: As mentioned in the reply to the previous question, the comprehensive transport plan(s)/framework(s) need(s) to be fully consistent with the general priorities mentioned in Art. 10 of Regulation 1315/2013 of the EP and the Council on Union Guidelines for the development of the TEN-T while taking into account the development needs identified at national / regional level.

In practice, this means that the plan / framework shall also include "*measures that are necessary for implementing and deploying telematics applications as well as promoting innovative technological development*". "*Particular consideration shall also be given to measures that are necessary for ensuring fuel security by promoting the use of alternative and in particular low or zero carbon energy sources and propulsion systems*".

Both these requirements would indeed **ensure the sustainability of the plan.**

In case where they would not be part of the plan at the time of adoption of the PA and OP, Member States should establish an action plan in order to fulfil these requirements by the end of 2016

- "What is the reason for involvement of measures for „mitigating exposure of urban areas to negative effects of transiting rail and road transport“ in the transport plan (framework)? This should be one of main aims of SEA."

Commission's reply: According to Article 1 of the SEA Directive, *the objective of this directive is ... to contribute to the integration of environmental considerations into the preparation and adoption of plans and programmes with a view to promoting sustainable development, by ensuring that, in accordance with this Directive, an environmental*

assessment is carried out of certain plans and programmes which are likely to have significant effects on the environment.

In any case, the scope of the environmental report depends on the scope of the measures contained in the plan.

That is why, in consistency with Article 10 of the TEN-T Guidelines, particular consideration should be paid in the comprehensive transport plan to the *"measures for mitigating exposure of urban areas to negative effects of transiting rail and road transport"*.

3rd criterion: realistic and mature pipeline for projects envisaged support from the ERDF and CF

- "Why should the transport plan or framework for transport investment set out a "realistic and mature pipeline for projects envisaged for support from the ERDF and CF"? Envisaging support from the ERDF and CF should be among others the purpose of the OP itself."

Commission's reply: The purpose of the comprehensive transport plan is mainly to ensure the consistency of transport investment priorities with the TEN-T Guidelines (i.e. bridging missing links and remove bottlenecks in the core TEN-T network and the comprehensive network, and promoting an efficient use of infrastructure) and to provide a long term framework for the development of the different transport modes, identifying strategies, priorities for funding, etc..

In order to avoid that information provided in this context is purely theoretical, a "mature and realistic pipeline of projects envisaged for support from the ERDF and CF" has been requested as part of the plan. This would indeed ensure that the plan is immediately operational and useful for the implementation of the operational programmes 2014-2020.

- Several MS have expressed reserves on the scope and practical feasibility of the definition of "realistic and mature project pipeline" (especially as regards the EIA requirements).

Commission's reply: The Commission has clarified and adjusted its expectations towards the *mature and realistic project pipeline* in the last version of the Guidance.

The concept of "realistic and mature project pipeline" has to be understood in the context of the whole project cycle starting from planning until the implementation. It means a list of projects covering at least the three first years of the programming period, i.e. the indicative list of projects for which the works are expected to start during the first three years, for which:

- A feasibility study (including options analysis and preliminary design) has been concluded;
- There is a positive socio-economic Cost Benefit Analysis (including detailed estimated costs) demonstrating financial viability of the project and the need for public financial contributions;

- EIA (environmental impact assessment) and other assessments (e.g. under Habitats and Water Framework Directives) are ideally finished or at least sufficiently advanced (i.e. consultations with the public and other authorities finished) and a development consent is expected without outstanding environmental issues;

- Identification of potential state aid in the project;

- There is a detailed implementation timetable, detailing procurement procedures (call for tenders can be expected to be completed in accordance to the timetable) and permission procedures (these should be ready to start).

For successive years, the comprehensive plan should contain an indicative list of projects and should guarantee that processes are duly in place to address state aid issues, environmental requirements, feasibility studies and socio-economic CBA in a timely manner (e.g. manual of procedures, identified planning units, etc.).

- "We propose to amend the previous definition of "realistic and mature project pipeline" as follows: *The concept of "realistic and mature project pipeline" has to be understood in the context of the whole project cycle starting from planning until the implementation. It means a list of projects covering at least the first three years of the programming period, for which the following should be completed as a precondition for making project financing decision.*

The strategic planning documents for the transport sector are compiled for medium or long term. So are the lists of priority projects. These projects will be implemented over time, and their preparatory activities take both time and funding. It is not reasonable, at least in the case of smaller Member States, to have invested into the completion of preparation of all potential projects that might be included in the list of priority projects, prior to approval of this list of priority projects – because it may take long time before the start of actual implementation of the projects that have been proposed for including in the list of priority projects, but as a result of approval process have not actually been included in the approved list. However, all the necessary preparatory activities, studies, assessments, permits (as listed below this point in the Guidelines) need to certainly be completed prior to taking the financing decision concerning the priority projects. Also, SEA will anyway need to be performed as a precondition for approval of the strategic development plan."

Commission's reply: As mentioned before, the objective of the inclusion of the "realistic and mature project pipeline" in the comprehensive transport plan / framework is to ensure that this plan /framework is immediately operational and useful for the implementation of Operational Programmes 2014-2020.

That is why it seems appropriate to keep the current drafting of this concept, thus focusing on projects for which the works are expected to start during the first three years of the programming period.

In any case, this list of projects is indicative and does not presume that project financing decision will be taken for all of them in the meantime.

- The "developed and mature project pipeline" criteria should not apply for all transport projects, but only for large projects (with a limit of € 75 million, in case of urban development € 50 million), since the preparation of smaller projects is considerably faster done. The fact that the Commission prefers these types of projects due to the faster elaboration supports our suggestion."

Commission's reply: The purpose of the comprehensive transport plan / framework is to ensure the consistency of transport investment priorities with the TEN-T Guidelines and to provide a long term framework for the development of the different transport modes, identifying strategies, priorities for funding, etc.
There is no reason why this plan / framework should only focus on major projects.
Therefore, all prioritised projects that Member States envisage launching over the period and asking for support from the ERDF and CF should be included in the "mature and realistic project pipeline".

4th criterion: Capacity of intermediary body and beneficiaries to deliver the project pipeline

- Some MS consider that the last criterion of EAC 7.1 and 7.2 ("*Measures to ensure the capacity of intermediary bodies and beneficiaries to deliver the project pipeline*") is going beyond the framework of a requirements laid on a comprehensive plan for transport investment and that some of the information could be included in the OP.
"Are those measures specific to transport OR can those be part of the general management and control system of the NSRF or the new NSRF?"

Commission's reply: The criterion: "Measures to ensure the capacity of intermediary bodies and beneficiaries to deliver the project pipeline" refers to the intermediary bodies and beneficiaries benefiting from CF/ERDF investments in the transport sector.

It has been formally adopted by the co-legislators as part of Annex XI Part I of the CPR.

Therefore, Member States /managing authorities need to provide evidence for the fulfilment of this criterion in their PA/OP; they have to ensure the capacity of intermediary bodies and beneficiaries to deliver the project pipeline. Those measures do not have to be necessarily part of the comprehensive transport plan(s)/ framework(s). However, Member States / managing authorities should provide links to the relevant documents to the Commission in their self-assessment of this *ex ante* conditionality.

- "The list of measures to ensure capacity of intermediary bodies and beneficiaries should not entail creating new monitoring systems and procedures if they have already been in place in the 2007-2013 period. It is unclear why the deployment of ERTMS is listed under among measures to ensure the capacity of intermediary bodies and beneficiaries in the railway sector - this should be a separate issue."

Commission's reply: The aim of this criterion is to guarantee that Member States have taken measures to ensure the capacity of intermediary bodies and beneficiaries to deliver the project pipeline.

If Member States consider that existing monitoring systems and procedures fulfil this requirement, there is no need for them to create new ones. However, they need to provide a description of those measures.

In order to check the fulfilment of this criterion, the Commission has suggested that these measures should be based on the analysis of both the bottlenecks and the weaknesses of intermediate bodies and beneficiaries to deliver the project pipeline. These measures should for example tackle weaknesses in dealing with tendering, implementing environmental requirements, developing and prioritising a mature project pipeline, funding for maintenance and operations, red tape, managing complex system (intelligent transport systems such as, for instance, ERTMS).

In any cases, these measures should comply with EU obligations. This is especially the case for requirements on railway governance and corridor management (including the deployment of ERTMS).