



Joint Industry Position Paper

on the Proposal for a regulation of the European Parliament and of the Council concerning a 'European rail network for competitive freight'

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Brussels, March 27th 2009

Major global and European customers, shippers, forwarders, independent train operators and other representative interest groups are calling on the European Parliament Transport and Tourism Committee to support and strengthen the Commission's proposed Regulation for the vote planned on the 31st March 2009. All share the merit of this proposal which aims to set reasonable priority rules for rail freight and are asking MEP's and institutions to proceed in the direction of swift approval, while strengthening its content.

These groups and companies comprise the majority of the European transport and logistics industry, traders, manufacturers and many train operators, all wishing to increase their use of rail. They have been calling on the Commission, the European Parliament and the Council of Ministers for more than two years to create a rail network partly or wholly dedicated to freight so that they can obtain or provide efficient, cost effective and reliable services. They may compete with each other and with other modes but they all need a single market for freight on rail as should be the case for all modes of transport.

Such companies will invest to improve services and efficiencies if they can have the confidence that they can have fair and consistent access to tracks and terminals, sidings and last miles, service reliability for the whole chain (including trains, loading and unloading processes, dispatching), minimal technical and legal problems with frontiers and a reasonable priority for the goods being transported.

Recognising the great potential of rail freight corridors for increasing the competitiveness of rail freight transport, the Commission has invested € 4m in the New OPERA project¹ intended to create a network of new and upgraded routes to enable rail freight to triple in volume by 2020. This draft Regulation is the first stage in implementing it on a wider scale.

It will make rail freight more competitive and genuinely seamless from one border of the EU to the other. This is what European industry at large needs and what Europe deserves. It is also one of the building blocks of any future European rail freight strategy.

We expect and hope that, because of the strategic importance of a single freight network for its users – but also for industry, environment and the citizens – the EU and the Member States will provide the necessary investment on these corridors to enable better quality and growth; it must include not only the infrastructure but also sidings, interior and sea ports, airports plus open access yards and terminals. It should be included in individual Member States' and the EU's economic stimulus programmes.

What we want from this Regulation

The Regulation is an excellent step into the right direction. However, **specific elements of the Regulation need to be improved:**

- Stronger requirements to improve infrastructure quality consistently along a corridor. This requires greater co-ordination and management between Infrastructure Managers along a route, as part of the corridor management with a fully functioning one-stop-shop (OSS).
- Strict deadline for the start of the operation of freight corridors (e.g. 2012/2015)
- When identifying corridors, existing relevant studies and projects should be taken into account (e.g. "New Opera")
- The "Implementation Plans" of the corridors must cover the whole logistics chain, including times for dispatching and loading and unloading at terminals.
- The ability of Authorised Applicants to reserve paths on all parts of this network must be granted.
- Customers are to be directly involved in the governance bodies of the corridors (including for the elaboration of corridor performance indicators).
- There must be an effective 'use-it-or-lose-it' provision applicable equally to all operators to enable the highest traffic levels to be achieved.
- The requirement for open access terminals and facilities at regular points along route corridors is welcome and must include sea and inland ports as well as airports. However, route governance bodies must be required to be proactive in

¹ <http://www.newopera.org/>

helping source, obtain permissions, fund and develop open access terminals to cope with the expected growth in traffic.

- All decisions of the governance bodies should be based on their impact and effect on service performance and should be facilitated by a single corridor authority.

Some misconceptions

“Every passenger train will be delayed”

This Regulation only applies to TEN-T routes, a very small proportion of rail lines in the EU. The approach of the Commission, which we support, is to provide for the creation of a flexible system of priority in the train planning, taking into account the needs both of passenger services and long distance freight services. Flexibility is equally important when an incident occurs which requires changes to the train plan.

As explained by the Commission in its impact assessment, *“with regard to the balance between freight trains and passenger trains, the objective is to ensure that freight trains have access to good-quality, reliable train paths and that, for international train paths, national train paths are consistent amongst themselves.[...] The issue here is to give guarantees to rail freight as to the reliability and the quality of the service it is being provided by infrastructure managers. These guarantees, which in general rail freight does not have, should have a moderate impact on the performance of passenger traffic. Furthermore, they must not constitute an excessive restraint which is likely to harm improved infrastructure management.”*

“Infrastructure managers must be free to resolve their own disruption”

Infrastructure Managers (IMs) need to be flexible when there is disruption, but having close links with adjacent IMs should help rather than hinder this. This could make immediately additional resources available with quicker and more efficient results, especially when this cooperation becomes regular and habitual.

“One stop shops (OSS) will prevent competition between corridors”

The proposal for a corridor OSS is designed to ensure better co-operation between IMs along a corridor, and to reduce frontier delays, still one of the major causes of poor service quality. There is great potential for improvement to quality, timings etc by such cooperation but, because it is still not happening at many locations, it is only reasonable for the Commission to propose a regulation that would require IM's to work together – for the benefit of international (and to some extent even national) services. Having similar priority rules across different Member States on one route will help all trains' reliability.

Separate OSSs for each corridor are envisaged, providing a real opportunity for them to compete for business and for RUs to obtain competitive bids for paths.

Conclusion

This draft regulation has the overwhelming support of shippers, manufacturers, traders, logistics and forwarding service providers, private rail industry and other important interest groups. The benefits to the EU fit well with the Lisbon agenda in

terms of CO₂, noise reduction and competitiveness, and will be an excellent means of demonstrating the benefits of co-modality.

In addition we believe that such a significant attempt to finally bring the single market to the rail freight sector is an opportunity that cannot be missed. This is one of the best opportunities in a number of years for all railway undertakings to prove their worth and show all Europeans that the rail is ready for innovation and growth. After being the most innovative technology in the 19th century, the rail industry has all credentials to become again one of the most innovative technologies in the 21st century.

With this Proposal, the European Parliament has now the historic chance to vote in favour of a substantive measure which will bring progress to the greening of transport and to co-modality. This chance cannot be missed!

Interest groups supporting this Position Paper:

CLECAT – European association for forwarding, transport, logistic and Customs services

ECA - European Cargo Alliance

ECSA – European Community Shipowners' Association

ERFA – European Rail Freight Association

ESC – European Shippers Council

ESPO – European Sea Ports Organisation

F&L – The European Freight & Logistics Leaders Forum

IBS – Interessengemeinschaft der Bahnspediteure

New OPERA aisbl – New European Wish: Operating Project for a European Rail Network

UIP – International Union of Private Wagons

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This joint position paper has been prepared in a way that it will remain open for new signatories, who recognise the value of this joint statement and fully share the above objectives. If your association or interest group has the intention to subscribe to the above positions, please contact the Clecat secretariat (www.clecat.org) for more information.