

22 November 2013

PRESS RELEASE

FOURTH RAILWAY PACKAGE:

A QUICK AND USEFUL PARLIAMENTARY OUTCOME IS CRITICAL

From the various discussions in Strasbourg in order to achieve compromises on the reports about the 6 European Commission legislative proposals that are part of the Fourth Railway Package, ERFA got the impression that some of Members of the European Parliament (MEPs) are using delaying tactics!

Indeed the European Parliament might not be able to vote on these files before the election.

ERFA urges MEPs to come up with a coherent compromise. Failing to do so could be considered as a major defeat which would have a negative impact on the European Parliament's credibility in this critical period that witnesses the mounting of Euro-scepticism before the election.

ERFA reminds MEPs that the 4th Railway Package has 5 great objectives:

- Safety simplification and increase (abolition of national rules in favor of standard European rules and single railways Undertakings (RU) certification under the leadership of the European Railway Agency (ERA))
- Interoperability improvement (EU wide single authorisation of new rail vehicles under the leadership of ERA)
- Empowerment of ERA (substitution of ERA to a patchwork of National Safety Authorities (NSAs) for Railways Undertakings and vehicles supervision).
- Public service obligation opening (mandatory tendering of publicly financed passenger services instead of direct awards)
- The governance (independence of the infrastructure manager also within the holding structure) and passenger open-access.

ERFA believes that the Commission's proposal is coherent and the pillars are highly interrelated. ERFA also realizes that the EU construction takes years, but we need to keep the momentum! **That is why ERFA cannot accept the fact that the 4th Railway Package might hit a dead end!**



It is also why the Commission must guide the Member States towards liberalisation in an open process where the Commission impulses guidelines to be implemented by the Members States taking into account local particularities.

ERFA has always been and remains totally in favour of a full separation between railway operators and the infrastructure manager but if a holding model is selected, appropriate Chinese walls must prevent all conflicts of interest between incumbents and the infrastructure manager to allow a plural railway market accommodating both dominant and alternative operators. These “non-discrimination barriers” have to be strong enough to play their role not only on paper, but above all in the real railway life!

ERFA remains confident that the Transport Committee of the European Parliament will propose a workable text on the 3 proposals constituting the technical pillar in this legislature and that it will set a solid basis for the Public Service Obligations and the governance proposals to be finalised as soon as possible in the next legislature.

François Coart, The ERFA President says: *“The railway sector is, once more, confronted with delays similar to those that occurred during the recast of the 1st Railway Package and which led to the loss of more than 10 years in opening of the market. We can-not afford this situation that creates too many constraints and burdens for private investors as well as new entrants, the flagships of market opening! IT IS TIME TO ACT AND GIVE LEGAL CERTAINTY TO NEW ENTRANTS!”*

Contacts:

ERFA (European Rail Freight Association) was set up with the 1st Railway Package in Brussels in July 2002 to represent the interests of the new independent and private ‘open access’ rail freight operators in a fully open market. ERFA is EU Representative Body. Today, the association comprises 30 members (21 rail freight operators, wagon keepers, service providers, forwarders as well as 9 national rail freight associations) from 16 countries in wider Europe. ERFA represents more than 900 locomotives and 55.000 freight wagons. ERFA's main objective is to make the rail freight market fit for competition so that rail freight can expand its market share, attract new investments, become more innovative and create jobs. ERFA's key mission to achieve its objective is to remove all legal, technical, social and administrative barriers that prevent its members from rapidly establishing international cross-border freight services, using all rail infrastructures regardless of who manages them. ERFA members are the pioneers of the cross-border full market opening!

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