

Press Release – Parliament Position on Capacity Regulation on Good Track

21 November 2023

On 17 November, the rapporteur for the Railway Capacity Regulation, Ms. Tilly Metz, presented her [draft report](#). The draft report represents a significant improvement on the Commission proposal and forms a good basis for establishing a European Parliament position on the Regulation. Of note, the Regulation strengthens the role of infrastructure users, introduces a clearer governance structure and a more ambitious implementation plan.

Whilst the proposal for a Regulation by the European Commission has been supported by the rail freight sector, ERFA had made clear that there was a need for significant improvements in several areas. Most notably has been the lack of formal consultation with users. Under the rapporteur's report, the Regulation will create a formal advisory group – EOSP (European Operational Stakeholder Platform) – which ENIM (European Network of Infrastructure Managers) shall consult throughout the planning process.

Secondly, the report introduces a clear separation of powers, with greater powers granted to ENRRB (European network of Rail Regulatory Bodies), which allows for independent oversight into how ENIM functions. This is essential to ensure trust in the system. Thirdly the report makes clear that IMs are required to provide alternative capacity outside of capacity supply plans, thereby ensuring greater flexibility is required from IMs to cover market needs.

Finally, the report ensures that implementation of key pillars under the proposed Regulation, such as multi-network capacity rights, are brought forward from December 2029 to January 2026. This will allow this Regulation to play a role in improving the reliability of rail freight services in the short term.

ERFA President, Dirk Stahl, commented, *“we welcome the positive work carried out by the rapporteur, Tilly Metz, on this file of strategic importance to the entire rail freight industry. For rail freight, it is essential that we arrive at a capacity system that reflects the international and volatile nature of rail freight. We support the proposal that important pillars within the Regulation shall already be implemented 2026. Rail freight needs a clear perspective on improvements of infrastructure management before 2030”*.

ERFA Secretary General, Conor Feighan, concluded, *“the report is an important milestone towards creating a European legal framework which delivers for rail freight. The report will now need the support of the shadow rapporteurs and the European Parliament's Transport*

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and Tourism Committee. We are committed to working with all parties to ensure this report forms the basis for a strong Parliament position.”