



**COUNCIL OF
THE EUROPEAN UNION**

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TRANS 77

REPORT

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to : Council

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Subject : **Council meeting (Transport, Telecommunications and Energy) on 7 and 8 April 2008**

Railways

Communication from the Commission "**Towards a rail network giving priority to freight**"

- Adoption of Council conclusions

1. On 22 October 2007, the Commission submitted its Communication "Towards a rail network giving priority to freight" (14165/07) and the accompanying impact assessment to the Council.
2. The Communication is part of the European Community's policy to revitalise the rail sector. In order to increase the attractiveness of freight transport by rail, its quality needs to be improved, in particular at trans-national level. The aim of the Communication is to promote the creation of a strong European rail network which will offer a better quality of service in rail freight transport than today in terms of journey times, reliability and capacity. Such a network would consist of corridors which ensure good conditions for the movement of freight and/or further develop coordination among infrastructure managers in investment planning and traffic management.

3. As Council's preparatory bodies succeeded in solving all outstanding issues, Council is therefore invited to adopt the draft Council conclusions as they appear in annex at its meeting on 7 April 2008.
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**COUNCIL CONCLUSIONS ON THE COMMISSION COMMUNICATION
"TOWARDS A RAIL NETWORK GIVING PRIORITY TO FREIGHT"**

1. Having regard to

- The renewed Lisbon Strategy for growth and jobs and the reviewed Sustainable Development Strategy;
- The Commission Communication: "Keep Europe moving - Sustainable mobility for our continent - Mid-term review of the European Commission's 2001 Transport White Paper";
- The Commission Communication on the "Freight Transport Logistics Action plan" and the related Council conclusions of November 2007;
- The Commission Communication on the "EU's Freight Transport Agenda: Boosting the efficiency, integration and sustainability of freight transport in Europe";
- Communication from the Commission to the Council and the European Parliament on "Extension of the major trans-European transport axes to the neighbouring countries - Guidelines for transport in Europe and neighbouring regions".

2. Whereas

- rail transport plays an important role in the sustainable development of the Community transport system;
- the challenges arising from the continuous growth of freight transport in the EU, in particular the anticipated 50% increase by 2020, and the consequences of this growth for congestion, accidents, noise, oil dependence, pollution and climate change, call for measures at EU level, including strengthened cooperation amongst stakeholders and Member States;
- the competitiveness of the rail freight market, fully open since January 2007, has progressively been strengthened as a result of increased competition between rail operators;

- the provision of efficient, reliable and timely rail freight services is a shared responsibility of all stakeholders, public and private, and depends, inter alia , on the availability of a well-performing and interoperable rail network of sufficient capacity on a European scale, including cooperation between infrastructure managers;
- in recent years, rail freight transport has benefited from streamlined customs procedures for transit through third countries.

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3. WELCOMES the Commission Communication "Towards a rail network giving priority to freight";
4. REITERATES its support for initiatives aimed at stimulating competition in the rail freight sector with a view to increasing its responsiveness to market needs and enhancing its attractiveness;
5. REPEATS the need to create a level playing field both within the rail freight sector and between the different modes of transport;
6. RECOGNISES the importance of sufficient capacity on, and an optimised use of, the network and at terminals for the development of rail freight services and EMPHASISES that improving rail freight services throughout a network of cross- border corridors would have a positive impact on all segments of the freight market, including that of the single wagon load. In that light, STRESSES the need to promote the efficient use of infrastructure - inter alia through a non-discriminatory access to infrastructure capacity and through regulatory bodies in accordance with their statutory duties and obligations and, where necessary, to increase capacity of rail infrastructure through measures taken at European and national levels; such measures may include Community legislation which seeks, for the purpose of international rail services and in particular on certain corridors, to develop cooperation on operational management between infrastructure managers intended to create an efficient allocation of infrastructure capacity;

7. UNDERLINES the importance of connectivity between the rail network and intermodal terminals and a non-discriminatory access to such terminals, and in particular to ports which connect freight markets within the Community and with third countries;
8. ACKNOWLEDGES that, for the establishment of a European rail network that facilitates efficient flows of international freight both within the Community and with neighbouring countries, Member States, infrastructure managers, regulatory bodies and national safety authorities should cooperate at the European level and with the relevant stakeholders outside the Community, in accordance with their respective competencies, focusing their activities on solving problems related to capacity, management and operation of the network;
9. HIGHLIGHTS the need to promote innovation in rail freight services, infrastructure and operations with a view to improving the competitiveness of the rail freight sector and responding effectively to the challenges of logistics and co-modality;
10. UNDERLINES the significant progress achieved hitherto on the ERTMS corridors in moving towards a Community approach, both in terms of technological harmonisation and in terms of operational coordination, and, in that context, APPLAUDS the cooperation demonstrated by Member States, rail transport operators, infrastructure managers and the rail industry along those corridors;
11. SUPPORTS the intention of the Commission to determine, in consultation with stakeholders, the measures required to promote the development of a rail network that facilitates efficient flows of international freight;
12. WELCOMES the creation of a strategic group aimed at assisting the Commission in assessing and devising the measures needed;

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13. To devise measures for achieving the efficient operation of international rail freight services through reinforcement of the cooperation between infrastructure managers in the fields of operations and investment and through identification of those cross-border corridors, including co-modal sections, along which the efficient flow of international rail freight traffic should be ensured, in terms of capacity and investment planning and in terms of reliable and sufficient train paths. In developing these measures, the Commission should take the following considerations into account:
- a) The expected increase in volumes of freight traffic will not only require new infrastructure and the removal of physical bottlenecks but will also necessitate optimisation of the use of existing infrastructure. With a view to delivering the most cost-effective solutions, the particular circumstances in any (section of a) corridor should be taken into consideration;
 - b) The consistent implementation and rigorous enforcement of existing EC legislation by the Commission, alongside new legislative measures where these are required, should contribute to the objective of ensuring efficient flows of international rail freight;
 - c) With a view to submitting only proposals which are feasible, a comprehensive analysis, including an appropriate impact assessments and cost-benefit analysis, of relevant alternative proposals needs to be undertaken in accordance with the principles and procedures of Better Regulation, involving all stakeholders and taking due account of all information available, including, inter alia, previous research and development studies;
 - d) The implementation of EC legislation in the fields of train drivers' licensing, cross-acceptance of rolling stock and deployment of interoperable rail subsystems, like ERTMS and telematic applications for freight, will support the development of international rail freight;

- e) Measures aimed at enhancing interoperability, ensuring open access on the basis of adopted Community legislation and reducing delays generated by mixed freight/passenger traffic should ensure that the railway network has sufficient capacity Europe-wide to meet the demands of international rail freight services, notably along the important north-south and east-west corridors; in that light, private investment should also be encouraged, notably in terminals and other freight facilities;
- f) The Commission may encourage Infrastructure Managers to deepen cooperation and coordination;
- g) The existing mechanisms applied in the context of the implementation of ERTMS technology along corridors provide important lessons in how cooperation between infrastructure managers and Member States can be strengthened, both on operational aspects and on aspects relating to the planning of investments. The development of a rail network that facilitates efficient flows of international freight should consider the further extension of the ERTMS corridors in accordance with deployment plans;
- h) The development of the TEN-T rail network, in particular priority projects concerning the high-speed rail lines, may provide the opportunity to release capacity at favoured times for freight traffic on the conventional network. The construction of new lines dedicated to freight or suburban rail where traffic is dense could also be considered as an option for facilitating capacity improvements and increasing the overall reliability of rail traffic flows;
- i) The EU's conventional rail network carries various types of traffic having at its disposal different sorts of infrastructure equipment. To deliver improved interoperability and enhanced capacity in a cost-efficient manner, the conventional rail network may need to be categorised so as to allow, in the medium to long term, for the creation of interoperable networks for interoperable trains and with a view to offering appropriate performance levels for each market segment, such as international rail freight traffic. The development of technical specifications for interoperability should reflect this concept;

- j) The opportunity to increase efficiency of rail freight transport through appropriate public intervention in compliance with EU rules;
 - k) Actions could be pursued to provide the conditions whereby infrastructure managers and railway undertakings feel the incentive to minimise disruption and to improve, in particular in cases of disturbances, the management of rail traffic, including the establishment of simple and efficient performance schemes consistent between Member States and the deployment of intelligent systems;
 - l) Considering the important progress achieved with rail freight customs procedures for transit through third countries in recent years, as well as the socio-economic benefits related thereto, there is an urgent need for efficient and secure arrangements between the EU and third countries, and in particular with Switzerland, for the implementation as of 1 July 2009 of Regulation (EC) 1875/2006 concerning the new customs procedures.
 - m) In the light of the further development of a European rail network that facilitates efficient flows of international freight, extension of connections with neighbouring countries needs to be taken into account. Where appropriate, the development of the rail freight network should be synchronised with the measures provided for the extension of the major trans-European transport axes to neighbouring countries.
14. INVITES THE MEMBER STATES including their relevant authorities (transport ministries, regulatory bodies and safety authorities), having regard to their individual circumstances, to contribute actively to the development of a rail network that facilitates efficient flows of international rail freight and to provide the necessary regulatory oversight;
15. INVITES infrastructure managers to coordinate action to achieve the smooth management and operation of rail freight traffic and investment planning in order to eliminate obstacles to competitive rail freight services;

16. INVITES THE RAIL INDUSTRY to step up its efforts at cooperation in order to develop international rail freight transport further;

 17. INVITES FREIGHT TRANSPORT CUSTOMERS AND LOGISTICS AGENTS to actively support this initiative, participating in efforts to consider how transport demand in Europe could be met by quality rail freight services promoting the integration of different transport modes and ensuring the availability of terminal facilities and access to the network.
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