

Procedure file

Basic information

COS - Procedure on a strategy paper (historic)	1996/2164(COS)	Procedure completed
Revitalising the Community's railways. Trans-European rail freight freeways. White paper		
Subject 3.20.02 Rail transport: passengers and freight 3.20.11 Trans-European transport networks		

Key players

European Parliament	Committee responsible	Rapporteur	Appointed
	TRAN Transport and Tourism	PPE SARLIS Pavlos	01/10/1996
Council of the European Union	Council configuration	Meeting	Date
	Transport, Telecommunications and Energy	2016	17/06/1997
	Transport, Telecommunications and Energy	1979	13/12/1996
	Transport, Telecommunications and Energy	1951	03/10/1996

Key events

30/07/1996	Non-legislative basic document published	COM(1996)0421	Summary
05/09/1996	Committee referral announced in Parliament		
03/10/1996	Debate in Council	1951	
13/12/1996	Debate in Council	1979	
17/06/1997	Resolution/conclusions adopted by Council		
09/12/1997	Vote in committee		Summary
09/12/1997	Committee report tabled for plenary	A4-0412/1997	
12/01/1998	Debate in Parliament		
13/01/1998	Decision by Parliament	T4-0002/1998	Summary
13/01/1998	End of procedure in Parliament		
02/02/1998	Final act published in Official Journal		

Technical information

Procedure reference	1996/2164(COS)
Procedure type	COS - Procedure on a strategy paper (historic)
Procedure subtype	Commission strategy paper
Legal basis	Rules of Procedure EP 142
Stage reached in procedure	Procedure completed
Committee dossier	TRAN/4/08157

Documentation gateway

Non-legislative basic document		COM(1996)0421	30/07/1996	EC	Summary
Document attached to the procedure		COM(1997)0242	29/05/1997	EC	Summary
Committee of the Regions: opinion		CDR0143/1997 OJ C 379 15.12.1997, p. 0004	17/09/1997	CofR	
Committee report tabled for plenary, single reading		A4-0412/1997 OJ C 034 02.02.1998, p. 0003	09/12/1997	EP	
Text adopted by Parliament, single reading		T4-0002/1998 OJ C 034 02.02.1998, p. 0014-0021	13/01/1998	EP	Summary
Economic and Social Committee: opinion, report		CES0104/1998 OJ C 095 30.03.1998, p. 0021	28/01/1998	ESC	Summary
Committee of the Regions: opinion		CDR0346/1997 OJ C 180 11.06.1998, p. 0017	12/03/1998	CofR	

Revitalising the Community's railways. Trans-European rail freight freeways. White paper

OBJECTIVE: the White Paper sets out the Commission's strategy for revitalizing the Community's railways. **SUBSTANCE:** the Commission believes that railways should play a much greater role in tackling the transport challenges facing the Community as we move towards the new century, and that urgent action is required to revitalize the sector so that it performs better. This is vital, since the very survival of the railway is at stake. The strategy laid before Member States involves five main areas, each with its own timetable for action for the next two or three years, as follows: 1. Clarification of the financial situation of railway companies: Member States should discharge their obligation to relieve the railways of their past debts and to improve their finances; beginning in 1997, the Commission will report on the progress made in this area. The Member States must also create sound finances by linking all aid to the implementation of restructuring programmes. The Commission will develop specific rules for State aids to the railway sector by 1998; 2. Introduction of market forces in the railway sector: to extend access rights and to stimulate competition, the Commission will press for the adoption of its 1995 proposal designed to ensure freedom of access for all freight services and for international passenger services. To guarantee the effective implementation of access rights, it will propose the separation of infrastructure management and transport operations into distinct business units. With a view to improving the conditions for international freight transport, the Commission will promote the introduction of trans-European 'railway corridors' or freight 'freeways', access to which will be completely open and whose conditions of use will be simplified. Competition should also be introduced in domestic passenger services. Finally, with a view to improving the institutional framework for future railway development, the Commission is prepared to consider, amongst other options, the possibility of setting up a 'European railway agency'. 3. Improvement of public services: the Commission will make proposals to generalize the use of public service contracts agreed by the State and the transport operator, as opposed to the imposition of obligations on transport operators. As with domestic passenger transport, it will study the best practical ways of introducing market forces into public services and will then make proposals; 4. Improving the intermodality of national railway systems: the Commission is proposing measures to encourage the interoperability of conventional rail, to promote technical harmonization with a view to creating a single market in railway infrastructure, and stepping up the research effort. In the case of freight traffic, the Commission will study how to eliminate delays at frontiers caused by administrative controls, and will publish a Communication on the promotion of intermodality at the end of 1996; 5. Integration of social aspects: with regard to personnel affected by restructuring, the Commission calls on Member States to adopt policies providing for substantial programmes to retrain redundant workers. In this connection, it will consider the possibility of contributions from the European Social Fund. It will also publish a White Paper on the sectors (including rail) which were excluded from Directive 93/104/EEC on working time. ?

Revitalising the Community's railways. Trans-European rail freight freeways. White paper

This communication outlines for the railway companies of the Member States the regulatory framework and the technical specifications they must observe with a view to the establishment of rail freight freeways, as recommended by the Commission as part of its policy for revitalizing the railways. The Commission proposal for the creation of trans European rail freight freeways has two main elements: a) open access for all operators (both existing railway enterprises wishing to operate beyond their national borders and companies new to rail transport); b)

facilitation and simplification of the use of rail infrastructures (for example by establishing one-stop-shops for access to the freeways and simple, attractive and transparent charging systems; by ensuring that path allocation is fast and simple; by providing adequate priority to freight; by seeking to eliminate or reduce border delays). The communication specifies in particular the criteria which should be met by the freeways in order to comply with European legislation, and especially the rules of competition, namely: - a freeway should be open for fair, equal and non-discriminatory access to all train operators licensed in the Community; - the criteria for licensing train operators to operate on a freeway should follow the same principles as laid down in directive 95/18/EC; - the criteria for the allocation of railway infrastructure capacity and the charging of infrastructure fees should be in compliance with directive 95/19/EC; - freeways should, subject to national regulations, be open to cabotage; - freight terminals on a freeway should be open for fair, equal and non-discriminatory access to all train, road haulage and waterway operators as appropriate. One of the principle elements to improve the rail freight offer is the creation by the infrastructure bodies of a one-stop-shop whose role could be assimilated to that of a freeway manager. Ideally the one-stop-shop should fulfil the following functions: - analysis of capacity and marketing of the infrastructure of the freeway; - identification and distribution of transport capacity for the whole freeway; - monitoring and control of performance; - undertake charging on behalf of the infrastructure managers. ?

Revitalising the Community's railways. Trans-European rail freight freeways. White paper

The Committee has called on the Commission to come forward as soon as possible with a timetable for the progressive implementation of the liberalization of the railways in the EU. Reporting on the Commission's White Paper on a strategy for revitalizing the railways and the communication on Trans-European Rail Freight Railways, Pavlos SARLIS (Gr, EPP) took the view that the railways can only survive if free-market rules are extended to this mode of transport. Mr SARLIS also felt that not all the changes should take place at once. They should go hand in hand with accompanying social measures for railway workers. The Commission was called on to make an assessment of the application of directive 91/440 in the member states and to make proposals to modify this directive with a view of the forthcoming liberalization process. Railway undertakings should be given the right of free access to railway infrastructures in order to operate international freight transport. The Committee also asked for proposals regarding the final regulation of matters such as the interoperability of national networks, eventual derogations from the implementation of the competition rules. Equal treatment between all modes of transport should be assured, particularly with regard to VAT and duty-free sales. As a matter of top priority, the Commission should make every possible effort to ensure that: - the infrastructure networks - especially those leading to and from ports - are opened up rapidly and effectively; - connections be created in future between the various freight freeways to provide the beginnings of a network; - freight access be granted to any operator to any given destination on the freeway and not just to those who are willing to operate between the two farthest points; - negotiations with Switzerland take into account the proposals ensuring a fair pricing system for international rail traffic. Finally, the Committee adopted amendments asking the Commission to draw up European quality standards for passenger rail transport, including access for handicapped persons, facilities for families and children. ?

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In adopting, by 423 votes to 37, with 18 abstentions, the report by Mr Pavlos SARLIS (PPE, GR), the European Parliament expressed the view that railways would be able to survive only if liberalization were extended to this mode of transport. Liberalization should be gradual; during the initial stage it should apply to international goods transport; later, it should also apply to national goods transport and international passenger transport. The introduction of competition should go hand in hand with accompanying social measures. Parliament called on the Commission to make an assessment of the application of Directive 91/440/EEC in the Member States and to submit proposals for amendments with a view to progressive liberalization. Parliament considered that railway undertakings should have the right of free access to railway infrastructure for the operation of international freight transport. Parliament called for proposals concerning interoperability of national networks and any derogations from the implementation of the rules on competition. Equal treatment of modes of transport must be ensured, particularly as regards VAT and duty-free sales. Parliament called on the Commission, as a matter of top priority, to ensure that: - infrastructure networks - especially those leading to and from ports - were opened up rapidly and effectively; - connections were created in future between the various freight freeways to provide the beginnings of a liberalized network; - access to the freight freeways was granted to any operator irrespective of destination and not just to those who were willing to operate between the two farthest points on the freight freeway; - the negotiations with Switzerland took into account the proposals in the White Paper to ensure a fair pricing system for international rail traffic. Parliament called on the Commission to submit as soon as possible proposals for successfully tackling the problems relating to employment, working conditions, training and retraining, etc. which railway workers would face once access to rail infrastructure had been liberalized. Parliament called on the Commission to draw up European quality standards for passenger transport, including access for disabled people and facilities for families and children. ?

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The Committee welcomes the Commission communication, which it deems to be an important step towards revitalizing European railways. As freeways are a voluntary venture, the Committee underlines that their success ultimately depends on: the willingness of Member States and of national infrastructure managers to cooperate, the ability of railway undertakings to be responsive to the needs of the customers and the readiness of Member States to give railway undertakings the necessary managerial freedom. Against this background, the Committee would make the following points: Member States who have not yet transposed Directives 91/440, 95/18 and 95/19 into national legislation should do so immediately. The success of freeways must not be jeopardized by failure to provide a legal framework at Member State level. Ultimately, the Commission must take legal action against those Member States that have not yet transposed these directives into national law; transport users need convincing that rail can provide the service they require in terms of price, reliability and speed; the key role of terminals for successful development of rail freight transport on freeways has been underemphasized by the Commission, and particularly the problem of open access, as there are different forms of ownership of terminals; successful development of the freeways should at least halt the decline in employment, as the aim of the freeways project is to make rail freight more competitive, in order to put more freight on rail; the Commission should give top priority to completing its current study on common charging principles. Infrastructure charges must be non-discriminatory, cost-related and transparent. The high level of infrastructure charges on some routes may prevent some railway undertakings from competing successfully with other modes of transport. Freeway operations involve cooperative agreements between infrastructure managers, and might include cooperation between railway undertakings. The Committee believes that a clear distinction should be drawn between agreements

required for the establishment of an OSS (which should not fall under the prohibition of Article 85(1) of the EC Treaty) and agreements between railway undertakings. Whether or not the latter type of agreement will prevent, restrict or distort competition within the common market has to be decided on a case-by-case basis. ?