

## A Fourth Railway Package milestone reached

The European Council has reached a major milestone by adopting its first reading position on the Political Pillar of the Fourth Railway Package during the Transport Council meeting of 8 October. When comparing the Council position to the recommendations of the European Combined Transport sector, as formulated by UIRR<sup>1</sup>, following mismatches can be identified:

- The *essential functions* of rail infrastructure managers have been unreasonably limited to train path allocation and track access charging. Exempting traffic management and other aspects of operations, maintenance and renewal raises concerns (i) for competition reasons in the case of *vertically integrated undertakings*, where sensitive operational/traffic information is not given the neutrality guarantees defined for the other *essential functions*, and (ii) the performance benchmarking - or comparability - of various infrastructure managers to one-another becomes impossible for operators, users and taxpayers.
- The *accounting separation* should be controlled not simply by the typically underfunded and understaffed regulatory bodies, but through allowing the separation requirements to be included in the description of work of the regular auditor of *vertically integrated undertakings*.
- The *coordination mechanisms* of the Council text can be seen as a significant step back from the originally proposed coordination committees - consisting of users, operators, authorities and other stakeholders vis-à-vis the infrastructure managers - since both the scope and the powers of the *coordination mechanisms* are significantly weaker. CT Operators and Terminal Managers hereby reiterate their call for meaningful *coordination committees* that look more like the railway and terminal advisory groups of European Rail Freight Corridors.

UIRR hereby expresses its hope that the dialogue to begin with the European Council's legislator peers will address these issues in a constructive manner that will bring the final legislation closer to its original aims.

With its decision of 8 October the Council caught up with the European Parliament, which adopted its first reading positions on the entire Fourth Railway Package in April 2014. While the dialogue of European legislators concerning the Technical Pillar has been ongoing for several months now, the dialogue on the Governance Pillar will commence only now. UIRR strongly hopes that the parties of the dialogue will act constructively and efficiently to align their positions, while keeping the original aim of boosting the overall competitiveness of the European railway sector and fairness of railway competition in mind.

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<sup>1</sup> <http://www.uirr.com/en/media-centre/press-releases-and-position-papers/2012/mediacentre/531-position-paper-on-the-fourth-railway-package.html>



Ralf-Charley Schultze

"UIRR has long been calling for the simultaneous adoption of every component of the Fourth Railway Package. The possibility for reaching a final agreement on the entire Fourth Railway Package with a foreseeable deadline has received a major impetus in the form of the Council decision of 8 October. The Luxembourg Presidency must be applauded for this achievement." - pointed out UIRR President Ralf-Charley Schultze.

### Who is UIRR?

Founded in 1970, the **International Union for Road-Rail Combined Transport** (UIRR) represents the interests of European road-rail Combined Transport Operators and Transshipment Terminal Managers.

Road-Rail Combined Transport (CT) is a system of freight forwarding which is based on efficiently and economically inserting electric rail into long-distance (road) transport-chains through the use of intermodal loading units (ILU).