UIRR
INTERNATIONAL UNION FOR ROAD-RAIL COMBINED TRANSPORT

POSITION PAPER

30 March 2022

TEN-T Regulation amendment: putting efficiency in the focus

UIRR applauds the Commission's proposal to amend the TEN-T Regulation[1], as it generally delivers on the UIRR position paper published on 19 April 2021[2] as an input to the Commission's drafting. The proposal can be further refined from the perspective of the European intermodal freight transport sector. The details are outlined in this position paper.

Summary of UIRR's enhancement proposals

UIRR proposes the refinement of the Commission's proposed TEN-T Regulation amendment along the following points:

1. Refocus the underlying policy principle of the proposal to devote investment resources uniquely to those low-risk solutions, which have already demonstrated their capability to deliver the policy objectives of the European Union.
2. Elevate the standing of rail freight in line with its results under the socio-economic cost-benefit analysis.
3. Mandate the creation of a Transport Information Portal as part of the TEN-T digital infrastructure and make the compliance with the quality criteria for the freight part of this Transport Information Portal.
4. Review the line and terminal designations contained in the annexes of the proposal and define a simple administrative process to amend these annexes after the adoption of the legislation.
5. Adjust the punctuality criteria for freight trains to those of passenger trains – principle of equivalence.
6. Specify the CT-related infrastructure parameters - CT profiles for all types of loading units.

Efficiency should drive the Trans-European Transport infrastructure

The proposed amendment of the TEN-T Regulation is driven by the desire to serve the most efficient transport solutions chosen in accordance with the recognised method of *socio-economic cost-benefit analysis* that takes into account relevant social, economic, climate-related and environmental benefits, as well as the life-cycle approach[3].

UIRR supports the application of every proven innovative technology that may contribute to the performance and capacity of the TEN-T infrastructure – be it physical, digital or methodological in nature. The transport infrastructure governed by the TEN-T Regulation should serve the purpose of extending transportation services with the robust efficiency expected by the buyers of transportation services: passengers as well as shippers of cargo.

Funding or the proliferation and the development of new technologies should only be supported from TEN-T infrastructure sources once they have proven themselves to be worthy for such funding.

[1] https://eur-lex.europa.eu/resource.html?uri=cellar:7b299e69-5dc8-11ec-9c6c-01aa75ed71a1.0001.02/DOC_1&format=PDF

[2] https://www.uirr.com/en/media-centre/press-releases-and-position-papers/2021/mediacentre/1830-position-paper-ten-t-guidelines-revision-key-to-a-competitive-infrastructure.html

[3] Defined in point (ak) of Article 3 of the proposed Regulation amendment

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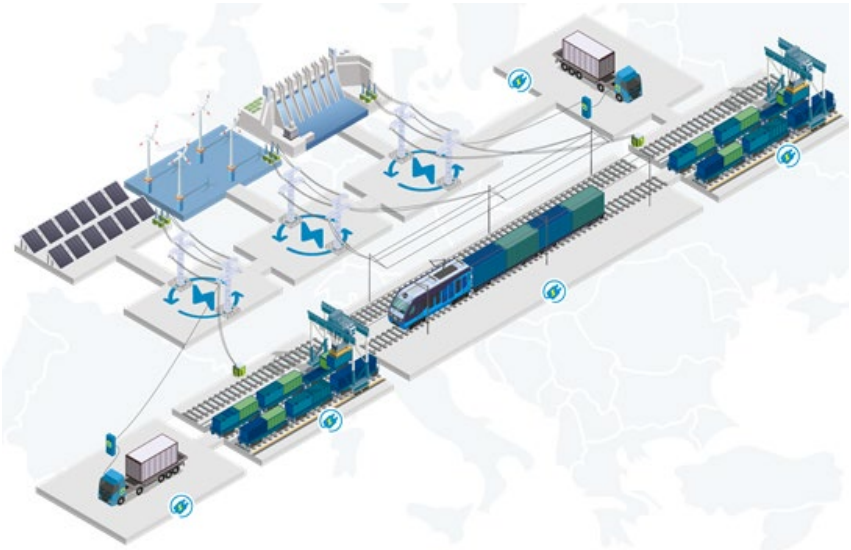
Accordingly, several aspects relevant to freight transport have been correctly included into the proposal:

- the needs of *rail freight*, a vital component of Combined Transport in terms of technical parameters and quality performance criteria;
- the recognition of *intermodal transport as a transport mode in its own right*, by adding a specific chapter on its particular infrastructure needs;
- the creation of *European Transport Corridors*, addressing the needs of transporting passengers as well as freight, including a *reinforced governance structure*.



How could the proposal be made even sharper?

The areas to further enhance the proposal if applying the *socio-economic cost-benefit analysis-based efficiency principle* are the following:

1. **Promotion of the efficient transportation solution versus spending resources on each mode to develop itself**
2. **Passenger and freight cohabitation on the rail infrastructure**
3. **Additional digital infrastructure designed to support the functioning of the TEN-T network**
4. **Additional technical improvements**

1. Promotion of the efficient transportation solution

The freight transportation objective of policymakers should be to **get the job done the most efficiently**. Any deviation from this principle creates distortions, inefficiency and ultimately an undesirable modal balance.

European transport policy has been torn between the **modal silo approach**, where each mode is supported to do the best in terms of technology, labour and energy efficiency, safety, security, resilience, sustainability etc., and the **modal shift approach**, which adds the largely untapped potential of the use of different modes or a combination of modes, for a single transportation task.

Modal shift is a term coined by European Commission Vice President for Transport and Energy Loyola de Palacio in 2001[4], one of the last commissioners in charge of both the transport and the energy policy areas. The 2001 EU Transport White Paper spoke for the first time about the need for "*shifting the balance between modes*"[5]. The idea was based on study results delivered under the PACT Programme[6] according to which **unaccompanied Combined Transport with swap bodies, containers and semi-trailers enables energy savings of 29% and reduction of CO_2 emissions of up to 60%**[7].

The 2011 EU Transport White Paper reinforced the *modal shift concept*. The evaluation report[8] of this 2011 policy paper issued 10 years later, in June 2021, found that the **inadequate implementation of the TEN-T development programme** was partly to blame for the failure to achieve the modal shift objectives.

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4 https://ec.europa.eu/commission/presscorner/detail/lt/IP_03_521

5 See p.41 https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52001DC0370&from=en

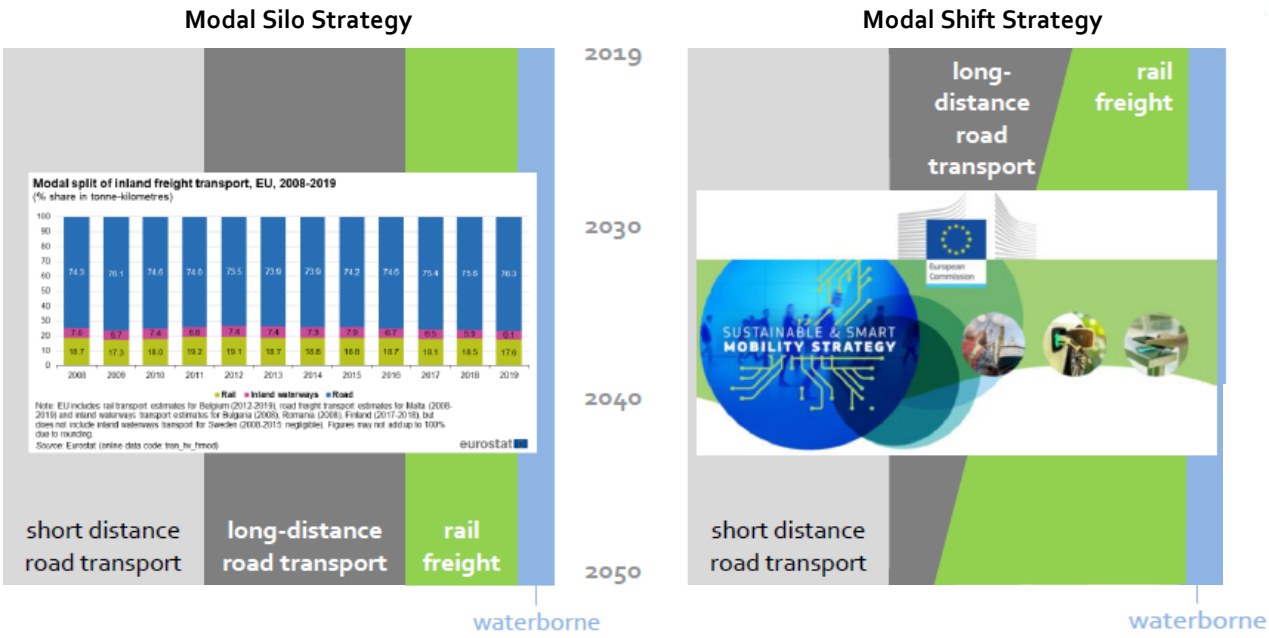
6 Pilot Action for Combined Transport

7 https://www.uirr.com/en/road-rail-ct/framework-conditions/external-costs.html

8 http://www.trt.it/wp/wp-content/uploads/2021/06/Final-report-Evaluation-of-2011-Transport-White-Paper.pdf

Without naming it modal shift, the Sustainable and Smart Mobility Strategy[9] spells out the need to **double the market share of rail freight** as necessary to deliver the decarbonisation objectives of the European Climate Law. The 2021 study[10] established that contemporary **door-to-door Combined Transport requires 40-70% less energy per tonne-kilometre, while leaving a 60-90% smaller carbon footprint** when compared to the most modern Euro 6 road haulage technology used end-to-end.

In the proposal to amend the TEN-T Regulation **it is uncertain whether its objective is to continue the modal silo approach**, which has resulted in a freeze of modal shares, **or to earnestly pursue the modal shift approach**, which has been proven more effective on numerous occasions. The failure to implement the policies needed to bring about the much-needed shifting of the balance between modes towards more efficient modalities, despite the intramodal (silo) efforts to improve performance, resulted in a **29% increase of transport's greenhouse gas emissions between 1990-2018**[11].



Combined Transport proposes the most effective and lowest risk method to achieve Europe's ultimate policy objective of conducting efficient freight transport, capable of delivering the expected carbon footprint reduction of 90% by 2050. The **combination of modalities and technologies through the intermodal technique** for the transportation of freight is the only solution that enables the simultaneous achievement of the decarbonisation goal, while also reducing Europe's dependency on external sources of energy, substantially easing the truck driver shortage, cutting back on air and noise pollution, road congestion and accidents, as well as on the cost of maintaining the road infrastructure. **The underlying policy approach of the proposed TEN-T Regulation amendment therefore has to be tightened to focus investments on the infrastructure needed to double the share of the rail freight market**.

In view of a low-risk yet well-performing alternative embodied in intermodal transport, scarce public investment resources should not be spent on technologies of questionable performance, such as hydrogen as a surface transport fuel[12], which require much in terms of scientific breakthroughs before pledging a result of inferior energy efficiency. Similarly, expensive yet limited capability catenaries over motorways should not divert from investments into the proven low-risk solution.

2. Passenger and freight cohabitation on the rail infrastructure

The period before the coronavirus pandemic brought about a complete saturation of the rail infrastructure and a dynamic increase in passenger train circulation. 2020, the first year of the pandemic, when passenger traffic had been drastically cut, while works on the infrastructure were also suspended, proved that freight trains are capable of highly punctual operation: quality figures for several months increased to beyond 80%. The return of passenger trains to the tracks and the restart of works, however, pushed back on the priority of freight trains. In 2021 punctuality dropped back to pre-pandemic levels, while the rapid increase in works

[9] European Commission, December 2020 https://eur-lex.europa.eu/resource.html?uri=cellar:5e601657-3b06-11eb-b27b-01aa75ed71a1.0001.02/DOC_1&format=PDF

[10] https://www.uirr.com/en/media-centre/leaflet-and-studies/mediacentre/2102-comparative-study-on-co2-emissions-in-door-to-door-ct-d-fine.html

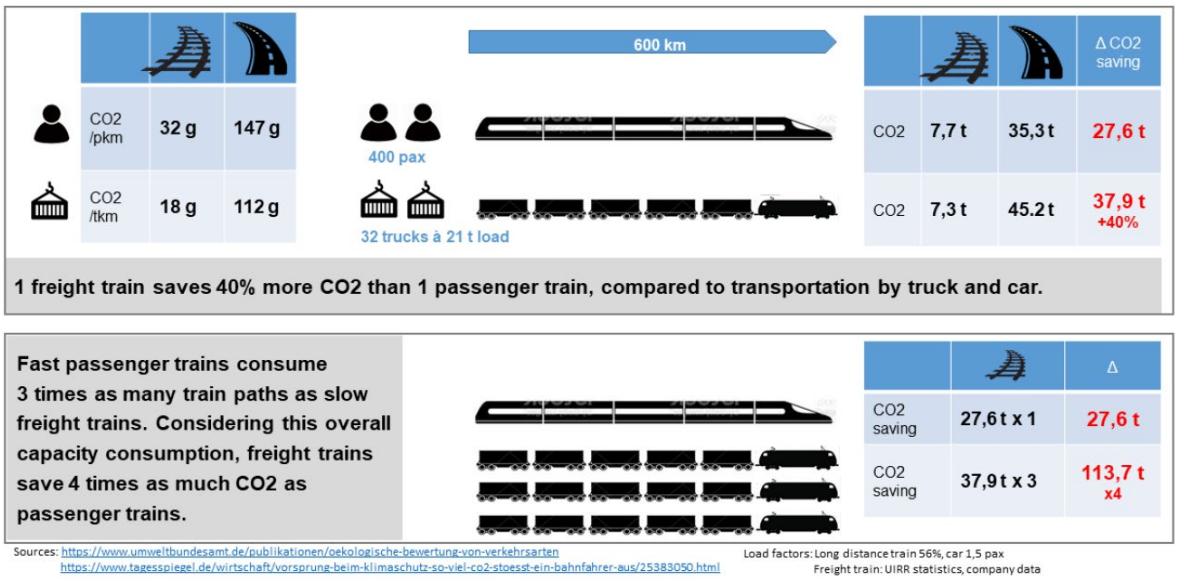
[11] https://www.eea.europa.eu/publications/transport-increasing-oil-consumption-and/increasing-oil-consumption-and-ghg

[12] https://electrek.co/2022/02/15/study-hydrogen-fuel-cells-cannot-catch-up-battery-electric-vehicles/

resulted in a further deterioration from the end of Summer. The quality performance of rail freight during the last 4 months of 2021 was hardly acceptable to shippers.

The European Commission announced its Passenger Rail Action Plan[13] in December 2021, coinciding with the bad performance of border-crossing freight trains. This Action Plan calls for even more passenger trains especially in cross-border relations and as overnight services. Simultaneously, Member States one after another began announcing much-needed additional rail infrastructure investment plans, which imply even more works along the network. In this setting, UIRR called for an **Action Plan for Rail Freight**[14] as freight seems to have been forgotten by policymakers.

The proposed amendment of the TEN-T Regulation calls for a *socio-economic cost-benefit analysis* to serve as the basis for decisions. UIRR would like to remind policymakers that freight trains save **40% more CO2 compared to passenger trains, and 4-times as much CO2 when considering the overall capacity consumption of passenger trains**. Moreover, as soon as the maximum allowed train length is extended to 740m these figures will further improve in favour of freight trains.



UIRR calls for increased attention to the needs of rail freight in not only TEN-T development but throughout the operation of the rail infrastructure network. This should materialise in an **increased number of train paths of an improved quality for freight trains,** as well as in traffic management treating freight trains as equal to their passenger transporting brethren. Finally, the TEN-T Regulation should mandate **adequate bypass capacities to be granted to freight trains** over the duration of the disturbance caused by the works. The smooth operation of freight trains should be aided by the **24/7 operation of transhipment terminals**.

3. Additional digital infrastructure

Digital solutions should help not only the functioning of the TEN-T infrastructure network but also its users. Some recently adopted EU legislations[15] cause the further fragmentation of the European regulatory framework by allowing Member States to introduce additional national rules instead of moving towards a Single European Transport Area for the Single Market to be governed by uniform EU rules. The UIRR proposal is to mandate the creation of a **Transport Information Portal as part of the TEN-T digital infrastructure** where every national rule and policy choice can be published to aid compliance by market actors operating cross-border transportation services. This could also materially contribute to the Digital Enforcement Agenda[16]. Moreover, the portal could host quality performance data in a comparable and transparent manner.

[13] https://transport.ec.europa.eu/news/action-plan-boost-passenger-rail-2021-12-14_en#:~:text=An%20Action%20Plan%20to%20boost,a%20real%20renaissance%20in%20rail

[14] https://www.uirr.com/en/media-centre/press-releases-and-position-papers/2021/mediacentre/2133-press-release-action-plan-for-intermodal-rail-freight-.html

[15] e.g. the Mobility Package 1 regulations and the revised Eurovignette Directive

[16] https://euagenda.eu/events/2022/01/17/effective-enforcement-improving-eu-institutional-design-for-the-digital-age

The **Rail Facilities Portal** (www.railfacilitiesportal.eu) sponsored by the European Commission as the single European portal for service facilities that support railway operations – both passengers and freight – should be made another element of the Digital TEN-T infrastructure. This Portal has been created to help facilitate the use of the TEN-T rail network through efficient compliance with Implementing Regulation 2177/2017.

4. Additional technical improvements

The definition of "core", "extended core" and "comprehensive" line categories, as well as the design of the European Transport Corridors must take into account measurable criteria such as transport volume and opportunities for further shifting the modal balance. The assignment of railway lines used by freight trains, as well as transhipment terminals in annexes 1, 2, 3 and 4 does not correspond to market reality in many cases: e.g. Terminal Busto Arsizio in Northern Italy, one of the largest intermodal terminals in Europe, is listed as "comprehensive"; Terminal Novara CIM with 130.000 truckloads transhipped annually, as well as terminals in Ploiesti, Oradea or Stara Zagora are not even listed, while the Lauterbourg-Strasbourg line, crucial for reliable freight services along the North-South axis is classified as "comprehensive".

UIRR proposes to conduct a **thorough review of the annexes** and to define an easy process to make amendments to the annexes in a simple administrative process after the adoption of the new Regulation.

Compliance with the quality criteria contained in the proposal specifically for freight should be regularly reported and published on the Transport Information Portal. In order to equalise the standing of passenger and freight trains, the punctuality criteria for freight trains could be adjusted from the 30-minute threshold to 5 minutes.

Intermodal rail freight transport requires the codification of railway lines, wagons and loading units in order to determine if trains can be operated in a safe and efficient way. The current activities in the ERA Topical Working Group (TWG) on 'Facilitation of Combined Transport' will propose modifications to the TSIs Infrastructure, Wagons and Operations and also to the RINF Regulation. An application guideline will be produced to explicit all aspects of the codification system in Combined Transport, in particular the methods to calculate the CT profiles for different types of loading units: semi-trailers, swap bodies, roller units and ISO containers. Based on the first outputs of this ERA TWG, UIRR suggests the **improvement of the references to the intermodal-related infrastructure parameters** (P400 loading gauge) in the proposal. The CT profile 'P400' means the transport of semi-trailers of 4m-high with a width between 2 550 mm and 2 600 mm. For reduced width, P70 should for example be mentioned. In addition, a target for a CT profile related to the transport of containers and swap bodies should also be inserted: C400 for the transport of such loading units with a height of 3.15m and a width between 2 550 mm and 2 600 mm – and for a reduced width, C70 should be added.

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