



24 September 2014

Open letter to the attention of the transport advisors of the permanent representation of EU member states on the 4th Railway Package

Dear Madam, Sir,

The signatories of this letter representing logistics service providers (CLECAT) and shippers (ESC) would like to share with you their views and expectations regarding the further deliberations on the 4th Railway Package.

We are contacting you in a joint manner because we share the same wish to have an open rail freight sector that is able to efficiently respond to Europe's economic and environmental challenges. The members of our associations have a growing interest in exploring the opportunities of rail freight today and in the future.

We are pleased that EU Member States reached a political agreement on the technical pillar earlier this year. However, much remains to be done on the other proposals with regards to the governance side. We would like to call on you not to "unbundle" the different aspects of the legislative proposals in order to maintain it as a package.

We do believe that the success in achieving an increased share of rail freight with increased efficiencies and better services depends on fair competition and open access in the rail freight market through the development of sound business models and efficient internal management that must be achievable within the framework of a modern rail market legislation. It is impossible to achieve this without separating the ownership and management of the network from the operation of services.

We therefore repeat that CLECAT and ESC supported the European Commission proposals of so-called Chinese walls guaranteeing transparent financial flows within holding structures, whereby the infrastructure owner and incumbent railway undertakings are under the same ownership. We are of the strong believe that as long as a financial link exists between the infrastructure manager and the incumbent railway undertaking, the infrastructure manager will continue to have an interest in awarding privileged treatment to the incumbent railway undertakings to the detriment of the other rail users and the whole rail system. For this reason we remain highly concerned with the position of the European

Parliament that has been adopted at first reading which has strongly weakened the Commission proposal.

It is only via important reforms to the political pillar that improved conditions for all players on the rail market can be secured which will ultimately lead to a better quality of service to the users of rail freight.

We thank you for the attention to our views.

Yours sincerely,



Nicolette van der Jagt
Director-General



Joost Sitskoorn
Deputy Secretary General

About CLECAT and ESC:

CLECAT is the leading voice on freight forwarding and logistics in Europe. Established in 1958, CLECAT represents and are supported by 25 member organisations working to promote a sound approach to transport and logistics across Europe, in support of the competitiveness of our industry.

The European Shippers' Council (ESC) represents cargo owners i.e. freight transport interests (import and export and intra-continental, by all modes of transport) of some 100,000 companies throughout Europe, whether manufacturers, retailers or wholesalers, which are collectively referred to as "shippers".