POSITION PAPER

Evaluation of Regulation (EU) No 913/2010 concerning a European rail network for competitive freight

Introduction

CLECAT represents the interests of freight forwarders, transport and customs related services in Europe. As important clients of rail freight transport – in particular to carry out longer distances – freight forwarders have an interest in improving the general conditions of rail freight to ensure that its capacity is better utilised. CLECAT therefore welcomes the possibility to respond to the evaluation of Regulation (EU) 913/2010 concerning a European rail network for competitive freight and invites the Commission to carefully consider the views of the users in its review.

As noted by the European Commission in the evaluation of the Rail Freight Corridors (RFCs), the growth of rail freight at international level is being held back by a lack of competitiveness. To ensure a competitive rail freight sector in Europe, the quality of rail freight must improve, especially regarding punctuality and reliability. CLECAT believes that while the RFC Regulation contributed to enhanced cooperation across borders, the full potential of the RFCs has not been exploited so far, especially regarding dedicated RFC capacity, coordination of works, and coordination of traffic management.

In view of the persisting problems in the rail freight sector, CLECAT carried out a survey amongst its members in 2019 to gather information on the quality issues freight forwarders are facing at national and cross-border level in the EU. Whereas freight forwarders are committed to making optimal use of rail freight, and are seeking modal shift opportunities, CLECAT members identified difficulties to increase the modal shift due to service levels. A drastic need to improve service quality was identified, in particular in view of a recurring lack of reliability, punctuality and flexibility.

CLECAT members also called for reliable and meaningful data and statistics from the RFCs, for example on the average suitability and reliability of trains to transport certain goods at a given point in time (including likelihood of delay, average time of delay, etc.). Currently, this information is either lacking or not reliable. As such, freight forwarders are supporting the call from shippers' associations for uniform punctuality. This would mean that if trains are delayed, freight forwarders should receive information with reliable estimated time of arrival.

To improve rail freight for the European Union, and to boost the competitiveness of rail freight in the EU, CLECAT believes that the improvement of the railway infrastructure together with the decoupling of the IM and RU, as well as an increase of the number of railway sidings, are important factors. Moreover, it is vital to ensure harmonised EU rules for combined transport and the harmonisation of cross-border transport. Furthermore, financial support, the effective use of digitalisation and train driver training are considered important. On top of this, CLECAT calls for a removal of national barriers with one common operating language and less regulation.

CLECAT also attaches high value to the full deployment of the European Rail Traffic Management System (ERTMS), as it would fully enable to track the train on the network.

Strengthening Rail Freight Corridors

CLECAT has been an active member of the Sector Statement Group, which was established to transpose the Rotterdam Sector Statement 'Boosting International Rail Freight' into concrete initiatives. CLECAT was actively involved in seeking to review the progress on the corresponding priorities, in particular those priorities which are directly related to the reliability of services such as priority 9 (monitoring the quality of rail freight services and implemented KPIs), priority 11 (effective implementation of the handbook for international contingency management being added in 2018). A continuous dialogue between stakeholders and DG MOVE to review progress made, and to review sector initiatives, remains important.

Considering the action taken to enhance the operation of the RFCs since the publication of the Rotterdam Sector Statement, CLECAT acknowledges that progress was made since 2016. However, in order to make real progress to ensure that international rail freight becomes more reliable, a review of Regulation 913/2010 is timely ten years after its adoption.

CLECAT recommends the Commission to strengthen the Regulation towards more harmonisation and interoperability. A stronger governance of the RFC could be achieved by improving operational decision making for international freight trains, strengthen the cooperation between the RFC coordinators to ensure consistencies in approach, and enable cross-corridor liaison.

The main issues of concern of CLECAT with regards to the evaluation of the RFC Regulation are listed below:

Implementation of Freight Corridor Plan (art.9)

Considering the developments since the entry into force of the RFC Regulation, CLECAT takes note that since 2015 nine RFCs are fully operational and since 2017 freight trains are able to use the corridor dedicated capacity in the complete RFC network. In that regard, CLECAT is interested in the further development of the new RFCs which have been introduced in 2017 and 2018.

Overall communication on the RFCs should become more harmonised and user-friendly, with possibly one portal for all the corridors.

Capacity management (arts.13, 14)

Whereas one of the purposes of Regulation 913/210 is to ensure that there is adequate infrastructure capacity available for freight trains, the reality is that due to national pressures, priority is still too often given to passenger trains. Member States continue to work with the Path Request System, leading to limited RFC capacity offer and unfortunately national processes prevail in capacity management.

Freight should receive adequate capacity and priority, in line with market needs. Common punctuality targets for freight trains must be met to improve the rail freight sector. Additionally, sufficient capacity should be available for pre-arranged paths, as well as ad-hoc capacity (preferably through

simplified processes by One-Stop-Shop). CLECAT therefore supports innovation in the area of capacity planning and the development of new concepts for Rail Freight Corridor Capacity offer.

CLECAT calls for a rapid improvement of national and European rail infrastructure to be adapted to the needs of freight transport. The current priority for passenger transport should be reconsidered and equal use of infrastructure of selected freight trains should be preferred.

Traffic management (arts.16, 17)

Regulation 913/2010 describes the role and authorities of the European Rail Freight Corridors and the structure that governs the future development of the RFCs. It aims to enhance the collaboration and cooperation with the aim to reach a truly Single European railway area as described in the following articles:

- Art. 16: "… procedures for coordinating traffic management along the freight corridor … coordination between operations of railways and terminals …"
- Art. 17: "… common targets for punctuality and/or guidelines for traffic management in the event of disturbance … train paths of freight trains running according to schedule shall not be modified …"

International trains suffer especially at network borders and in case of disturbances because of a lack of coordination and cooperation of infrastructure managers in traffic management. Events such as the 2017 Rastatt incident demonstrated that while the RFC Regulation contains rules on traffic management in the event of disturbances (Art.17), there is insufficient coordination which has led to serious disturbance of rail freight traffic over a period of several months.

CLECAT welcomed the adoption of the Handbook on International Contingency Management for Infrastructure Managers in 2018. The proper application of the ICM Handbook will be crucial in improving the management of international contingencies in the future.

An effective and efficient traffic management requires transparent communication processes amongst the different actors, especially in case of international disturbances. To avoid the re-occurrence of an incident with the magnitude of the 2017 Rastatt incident, the RFCs should adhere to the ICM Handbook. While Temporary Capacity Restrictions (TCRs) belong to the planning process and take into account national disruptions, ICM refers to real-time traffic management. Nonetheless, in case of an international disruption TCRs should be taken into account. Moreover, re-routing overviews should be extensively planned and cover a wider range of routes in the future. Such overviews may also be used to support investment planning (Art.11) in the future (e.g. TEN-T, CEF). A further target should be a better coordination between ICM and TCRs.

In addition to this, the RFCs should liaise horizontally, across and between corridors to ensure consistencies in approach and enable cross-coordination of activities of common interests, capturing synergies, where and as appropriate.

Monitoring performance / Quality of Service (art.19)

As noted above, the quality of service is key for transport users and CLECAT has in the sector statement group continued to call for the implementation of effective harmonised sector led KPIs. Whereas there

has been some progress as corridor KPIs have been developed under the guise of Rail Net Europe (RNE), with various RFCs providing KPIs relating to the quality of services of rail networks concerning capacity, path allocation, and operation, there is a lack of harmonisation and benchmarking. To ensure the comparability of the RFCs, the implementation of the KPIs should proceed on all 11 RFCs, and eventually be expanded on the entire EU rail network beyond the RFCs. It would be helpful if the information on train runs in Europe from the RNE TIS system became available to all stakeholders and not only for RUs and IMs. But there are equally recurring problems with TIS, such as incomplete information. This also follows from the fact that in order to use TIS, the TIS service agreement must be signed. Instead, information should be freely available to all parties.

In this respect digitalisation is a key tool. There is a need to improve interfaces across borders and across the logistics chains. Also, RUs should enhance their IT systems to improve functionalities such as track & trace, give alerts in case of delays, and provide new ETA's. In this respect, CLECAT would recommend a fast roll-out of the ELETA project results which can be used as basis for developing further single use cases and punctuality management.

However, digitalisation alone is not sufficient and CLECAT calls on a more customer-focussed attitude of the rail freight sector, with less blaming and shaming of other modes of transport and a general willingness to share operational information. This would serve the rail freight sector greatly.

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