

## Making policy on the hoof

**EUROPE:** At the beginning of last year, we reported that the European Commission had failed to publish the draft proposals for its Fourth Railway Package before the end of 2012, amid suggestions that various member state governments were trying to water down the more controversial proposals for unbundling of infrastructure management and liberalising the operation of domestic passenger services.

Fast forward a year, and the package remains mired in the EU's complex legislative procedures. While the Council of Ministers has reached compromises on the safety and vehicle authorisation proposals, it has not yet addressed the unbundling and liberalisation pillars. Now all

eyes are focused on the Transport & Tourism Committee of the European Parliament, which had been due to discuss the Fourth Railway Package in November and come up with recommendations to be put to a plenary vote in the parliament. But just hours before the meeting came the news that the committee had postponed its vote until December 17.

One of the reasons given for the postponement is the large number of amendments tabled by MEPs; these have been reported to exceed 2000, although it can be assumed that many will cover the same points. Nevertheless, the rail industry associations are increasingly concerned that the proposals may be significantly altered without consultation in the search for a political compromise, as the committee is rumoured to be looking for a 'quick win' by getting the package pushed through parliament before it is dissolved for the European elections in May 2014.

CER hopes the compromise amendments would 'be conducive to the emergence of a Single European Railway Area that is open, flexible, and interoperable', whilst allowing 'several governance models' (p26). It wants to see greater flexibility in the tendering, direct award or in-house operation of Public Service Obligations, which should 'remain the legal

and political responsibility of each competent authority'.

UITP, EPTO and EMTA — which represents the organising authorities — are keen to minimise the revision of PSO Regulation 1370/2007 to those changes needed to open up domestic rail passenger markets without impacting on urban and local public transport. They have 'serious concerns' that 'the principles underlying certain compromise amendments' may pose a threat to established and well-functioning markets in some member states.

Meanwhile, UTC, UNIFE, the International Union of Wagon Keepers (UIP), the European Rail Freight Association and intermodal association UIRR are jointly pushing for the European Parliament to press ahead with the technical pillar, so that the safety and interoperability measures can be adopted before the European elections, even if the governance and liberalisation aspects are delayed. This would also include the Regulation extending the mandate for the European Railway Agency and the provision of the additional resources need to support its extra work.

However, the Commission has so far opposed any suggestion of splitting the package, insisting that its various proposals are inter-related and need to be treated as such. ❏



Alstom Transport set a new Polish speed record of 293 km/h on December 2 while testing the first of 20 Class E250 non-tilting Pendolino sets being supplied to PKP Intercity.