

Mixed messages in Brussels

March 14 saw another milestone in the lengthy debate on the European Commission's Fourth Railway Package proposals. Meeting in Brussels under the Hellenic Presidency, the EU's Council of Transport Ministers agreed a 'general approach' on a Regulation to strengthen the remit of the European Railway Agency. This would turn ERA from being primarily an advisory body into the sole European authority responsible for cross-border vehicle and safety certification, albeit in co-operation with national safety authorities.

The Council has now considered the three legislative proposals in the technical pillar of the package, having adopted general approaches to the recast of the Railway Safety Directive in October (RG 11.13 p26) and the Interoperability Directive earlier in the year (RG 7.13 p28).

With the European Parliament having adopted its position on the technical pillar during a plenary first reading in Strasbourg on February 26, pressure is growing for the three European institutions to move rapidly into the 'trialogue' process, so that a consolidated package of legislation can be enacted in the second half of this year under the leadership of the forthcoming Italian Presidency.

CER Executive Director Libor Lochman pointed out that 'the legal framework for interoperability and safety still needs to be optimised and finalised in the trialogue discussions'. However, UNIFE Director General Philippe Citröen said 'the technical



EUROPE The Fourth Railway Package faces an uncertain future, as the Council of Ministers has endorsed the technical pillar but the European Parliament has voted to overturn key proposals for governance changes.

The Fourth Railway Package is expected to speed up and reduce the cost of rolling stock authorisation. The first 10 of 15 Vectron AC electric locos ordered by MRCE were handed over to the leasing company at the Siemens plant in München during January.

pillar has the unanimous support of the rail sector, as it will increase the attractiveness of rail transport and help make the European rail industry more competitive'.

Market pillar going nowhere

Up to now, the Commission's Directorate-General for Transport, DG Move, has been resistant to calls for the Fourth Railway Package to be split, insisting that the technical pillar needs to be considered in conjunction with the more controversial governance proposals in the market pillar. These envisage further transparency and separation between infrastructure managers and train operators, the liberalisation of domestic passenger services and the compulsory tendering of public service contracts.

During its first reading on February 26, the European Parliament adopted by a large majority amendments to these proposals, particularly in relation to the requirements for independent infrastructure management and financial transparency.

The MEPs endorsed a compromise to the revision of the PSO Regulation 1370/2007, which had been adopted by the Transport & Tourism Committee in December. This would still see a right to run open access domestic passenger services introduced across all member states from 2019, but postpones the compulsory competitive tendering of PSO contracts until 2023.

CER said the amendments would 'guarantee more flexibility for member states when it comes to choosing

the model of governance for their respective infrastructure managers'. However, the Commission expressed its disappointment about the 'equivocal first reading position' adopted by the parliament, which it felt would limit effective competition.

Vice-President for Transport Siim Kallas said 'this is not the strong signal that European rail needs to increase its attractiveness. Today's plenary vote is yet another demonstration of the tenacity of the vested national interests that proved more appealing to MEPs than the balanced and well-reasoned compromises reached by the Transport & Tourism Committee'.

Reflecting the concerns of independent operators across Europe, Chairman of the UK's Rail Freight Group Lord Berkeley expressed concern that the amendments would 'allow the big incumbents to continue behaving in a monopolistic manner, and could even roll back earlier liberalisation. "The European rail network will not obtain the private sector investment that it desperately needs, because new entrants will continue to be rightly frightened of the ability of incumbents to kill or buy their business'.

Very pointedly, the Commission explained in its response that it could 'alter or withdraw its proposals as long as the Council has not acted'. It seems quite possible that the market pillar may now be withdrawn, leaving the technical pillar to go forward alone. But as DG Move has warned before, that would almost certainly require a fifth package to address the legislative inconsistencies that remain. ❏

Shift2Rail nears the starting line

RESEARCH: April 15 is expected to see the European Commission's Shift2Rail proposal approved by the European Parliament, during the final plenary session ahead of the European elections. Once it has been formally agreed by the Council of Ministers on June 5, the joint technology initiative can then be incorporated into the EU's Horizon 2020 research framework.

Shift2Rail will provide €450m of European funding for railway research in 2014-20, to be matched by €470m from suppliers, infrastructure managers and operators across the rail sector, in what Unife describes as 'an unprecedented joint effort to create a step change in rail technology'.

Speaking at a conference in Athens on February 19, Greek Deputy Minister of Transport Michaelis Papadopoulos emphasised that Shift2Rail was one of the top transport priorities for the Hellenic Presidency. The proposal was endorsed by the Council of Ministers on March 14, and unanimously adopted by the parliament's Industry, Research, Telecommunications & Energy committee on March 18, which ensures that no amendments can be introduced during the plenary vote. ❏