

PRESS RELEASE



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ERFA hopes 2015 will be a better year for compliance with basic EU legislation in the rail sector

As the European Commission starts off the year by investigating the Lithuanian railway incumbent for closing down rail tracks and preventing cross-border rail services, in an apparent abuse of dominant position, ERFA urges more and better compliance with EU rules in the rail sector.

At a time when the aim is to get more freight off the roads and onto rail, the suspicion is that the closing down of the tracks by incumbent AB Lietuvos geležinkeliai may have prevented customers from using the services of other rail operators for the transport of freight, in particular by obstructing the plans of a major customer of the incumbent from using the services of other rail operators.

This is not an individual case. Basic rail legislation to improve the safety, the interoperability, and the competitiveness of the rail sector is being violated across the EU Member States. ERFA urges the European Commission to pursue these cases without any further delay.

2014 saw a number of infringement proceedings taken out against the Member States for failure to comply with EU rail legislation.

Austria and Germany are both currently being taken to court for failure to comply with EU financial transparency rules. According to the European Commission, public funds may be used to cross subsidise other transport services open to competition, such as freight or passenger services.

At a time when already scarce public funds are badly needed for investment in the rail infrastructure or for supporting public service obligations, ERFA urges the EU Member States and the European Commission to ensure financial transparency and thereby that taxpayers' money is spent with greater public accountability.

Spain and Slovenia are also being investigated on similar grounds by the European Commission.

The European Commission also launched infringement proceedings against 6 more Member States – Austria, Luxembourg, Lithuania, Estonia, Romania and Greece for not applying EU safety rules. Rules that should have been in place since 2006! The lack of an independent investigating body in the case of rail accidents is a recurring feature. The rules aim at developing a common approach to railway safety, including the safe management of infrastructure and traffic operation.

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With rail stagnating or declining in many countries across Europe, the failure of many Member States to play their part in creating a seamless European rail network undermines the competitiveness and growth of the rail sector.

ERFA urges greater efforts on the part of the Member States to implement EU legislation to which they all signed up to some years ago and which are vital for the creation of a single European railway area and also on the part of the Commission to pursue these cases without delay.

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ERFA - European Rail Freight Association - represents new entrants, i.e. all those operators who want open access and fair market conditions, and sustains their role of pushing forward the development of the railway market. The Association is very much a spin-off of the First Railway Package, adopted by the EU in 2001, and its vision of creating an open and competitive European rail market.

In 2015, ERFA represents 33 members from 16 countries. The members of ERFA all share a commitment to work towards a competitive and innovative single European railway market by promoting attractive, fair and transparent market conditions for all railway companies.

The members of ERFA represent the entire value chain of rail transportation: rail freight operators, wagon keepers, service providers, forwarders, passenger operators and national rail freight associations.