European Rail Freight Association

POSITION PAPER – 11 February 2022

Proposal for a Regulation on Union Guidelines for the Development of the Trans-European Transport Network (COM (2021) 812)

Summary

The proposed Regulation on Union Guidelines for the Development of the Trans-European Transport Network will play a pivotal role in the development of railway infrastructure for the coming decades. ERFA, representing the interests of private and independent rail freight companies, supports many of the provisions within the proposed Regulation, but believes further efforts are needed to clarify a number of key areas within the text. In particular there is a need to:

- **Further elaborate on the Regulation's objectives by also ensuring that ETCS deployment plans are aligned and ETCS financing is included as a priority;**
- **Provide clarification on network capacity management and secure slot allocation regimes for rail freight;**
- **Introduce further clarification on how punctuality of freight trains will be monitored and, where applicable, issues resolved;**
- **Include provisions and improve international coordination to ensure that infrastructure works do not undermine rail freight's ability to increase freight volumes by 50% by 2030[1].**

Although ERFA welcomes the long-term infrastructure development objectives introduced under the Regulation it is essential that the final Regulation delivers a balanced approach between all stakeholder's interests as well as the short-term and long-term objectives of the rail freight sector.

Merging of TEN-T / Rail Freight Corridors

ERFA supports the idea of merging the former TEN–T Network and the Rail Freight corridors into one joint organisation. This creates the proper framework to concentrate and focus the necessary infrastructure investments and required changes in infrastructure management into one consistent strategy.

[1] European Sustainable and Smart Mobility Strategy

In this new format, freight and passenger corridors would be manged jointly. This has certain advantages and could lead to better and more clarification on infrastructure allocation, which should eventually lead to the securing of better freight paths. ERFA is nevertheless concerned that the previous specific freight focus of Rail Freight Corridors could be lost. It has to be guaranteed that in international corridor development the importance and anticipated higher volumes of rail freight is not lost or displaced by a more national focus on the passenger traffic.

The creation of new corridors is also well noted. The merger of the Rail Freight Corridors (RFC) "RALP – RFC1" and "NSM – RFC2" to form the new corridor "North-Sea / Alpine" is a sensible development. The cooperation between RFC RALP & NSM is already established thematically today and helps to avoid duplications and creates synergies between the corridors (for example; in capacity and interval planning).

ERFA welcomes the creation of a new corridor connecting the ports of Baltic Sea in Poland with the Adriatic Sea. it is necessary to fully utilize the infrastructure modernized up until now with the use of EU funds. It is also vital to sensibly manage future investments in Member States along the corridor as well as create conditions to attract more freight services.

The Regulation should also introduce provisions which ensure that increasing the number of national governments in one corridor does not lead to delays in the development of corridors due to varying national development plans.

Definitions and Parameters

ERFA acknowledges and supports the clear infrastructure requirements introduced under the proposed Regulation (Article 15 and Article 16) as well as the deadlines set for the completion of the Core Network, the Comprehensive Network and the newly established Extended Core Network.

An efficient TEN-T network encompassing common infrastructure requirements, namely an axle load of at least 22,5 tons, fully electrified lines, easy access for 740m-long freight trains, P400 standard and a speed target of 100 km/h for freight trains on the Core Network, are essential in order to achieve significant modal shift and to reach the objectives set out in the Sustainable and Smart Mobility Strategy and the European Green Deal.

These objectives will need proper and continuous funding from both the European Union and Member States budgets with clear development plans. Authorities must make the best use of all available tools

(CEF, cohesion funds, recovery plans) in order to ensure 2030, 2040 and 2050 infrastructure development goals are met.

ERFA welcomes the deadlines proposed when it comes to ERTMS deployment (Article 17) on the different networks. It must be recognised that the deployment of ERTMS on core corridors is heavily delayed compared to original plans, which has led to a situation whereby Railway Undertakings have had to start to invest in On-Board Units for years now and are faced with ongoing addition costs for software upgrades, whilst the current deployment rates means they will not see operational gains from ERTMS until 2030 at the earliest, when main corridors are fully equipped, or even 2040 when full networks will be equipped. Taking into consideration the above, ERFA has concerns that on-board ETCS deployment is not mentioned at all in the Commission proposal while its deployment is crucial to increase efficiency and safety. It must be recognised that the current ETCS deployment strategy and supports are also lagging and a new approach is therefore required. The deployment of ETCS OBUs (On Board Units), and making available of subsequent funding for their deployment, should be included as an objective within Article 17. The revised Regulation should therefore be used as an opportunity to develop a new and reliable ETCS deployment plan that is aligned between Infrastructure Managers, Railway Undertakings and the supply industry.

Keeping a European mindset while building transport infrastructure of common interest is essential to make the revised TEN-T a success and increase cross-border traffic. It is therefore necessary to enhance the role of European Coordinators (Article 52) as they are the best placed to take into account the European dimension of projects and corridors. Their continuous contact with authorities at all levels across borders, railway undertakings and infrastructure managers put them in a strong position to ensure that proper international coordination is part of the whole process.

Network and Corridor Definition

The definition of the “core”, “extended core” and “comprehensive network” as well as the design of the European Transport Corridors must be based on clear, transparent criteria such as transport volume and options for modal shift to more sustainable transport modes. Sufficient mechanisms must be in place to allow for the corridors to be adjusted to take into consideration developments such as new terminal constructions and changing freight flows.

There is a need to have a clear definition of criteria for inclusion into the European network and its three different phases of implementation. This well require a number of changes to the lines and terminals included within the Annex of the Regulation.

Network Capacity Optimisation / Speed Differences

Investing in high-speed rail is an important endeavour as it will assist in achieving passenger modal shift objectives. This cannot come at the cost of rail freight however and capacities for rail freight on corridor lines must be preserved. Increased speed difference between high-speed passenger trains and freight trains leads to reduced overall capacity and brings some challenges when trying to make both traffic co-exist.

Decision-makers should keep in mind that freight trains save 40% more CO2 compared to passenger trains, and 4 times as much CO2 as passenger trains when considering the overall capacity consumption. This crucial factor for the environment must be taken into account when assessing the socio-economic cost-benefit analysis (Article 3.ak) of a project.

Any socio-economic cost-benefit analysis must therefore take into consideration how any development will impact existing rail freight services, the potential for new rail freight services and implications for long-term capacity management.

ERFA once again claims that new instruments of long-/mid-term capacity managements have to be introduced which secure the necessary infrastructure slots for rail freight. The implemented concept of "Netznutzungskonzept/Netznutzungspläne" in Switzerland can be seen as a very useful instrument to secure fair and consistent slot allocation. This concept, namely fair and predictable capacity allocation, should be set as an objective along all corridors. This should be a first step to network wide capacity management as foreseen in TTR, creating benefits for freight also outside of corridors.

Quality Management

ERFA welcomes both targets set in Article 18 related to the maximum dwelling times at cross border points and punctuality for freight trains. Increasing the reliability and quality of capacity allocation, and subsequently rail freight services, is essential to make rail more attractive to new customers.

However, the Commission should establish an efficient monitoring system to follow the data related to the achievement of both objectives. Ideally this should be carried out at a European level given that the majority of rail freight services are international.

In cases where repeating breeches of the provisions of Article 18 occur along a European Transport Corridors on a large scale, it will be essential that the aforementioned body in charge of quality management monitoring provide an assessment of the primary cause of the delays. European Transport Coordinators should be empowered to prioritise funding towards resolving infrastructure bottlenecks identified in the assessment and provide recommendations on capacity management.

When it comes to points related to maximising punctuality and reducing delays as much as possible, as mentioned in article 18.b, it should be specified that delays must be calculated along the entirety of a train journey and not only on numerous national assessments within each of the Member States crossed during a single journey.

Infrastructure/Construction Works Management

Completing TEN-T infrastructure in accordance with the deadlines introduced by this Regulation is imperative. It is accepted that this will lead to a period of significant infrastructure works. Rail freight capacity must remain protected as best as possible where traffic interruption and disruption due to infrastructure works and updating are being carried out.

The situation can already be extremely difficult due to uncoordinated work among several infrastructure managers, a lack of alternative capacities and a lack of communication with railway undertakings. This all leads towards major disruptions of traffic on an international scale.

The revised Guidelines should include provisions so as to ensure that Infrastructure Managers must identify alternative lines when major works are planned on a specific part of the European Transport Corridors. Moreover, where works will reduce capacity by 50% or greater for a period longer than 48 hours, Infrastructure Managers should be obliged to carry out a consultation process with railway undertakings to define the works and agree on alternative capacity for the duration of the temporary capacity restrictions. Measures should be in place enforcing/stimulating a capacity friendly behaviour. This can be by using reciprocal commercial conditions and/or the right for RUs to appeal to a cross-border decision making entity.