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NOTE

From:	General Secretariat of the Council
To:	Delegations
Subject:	TEN-T Days (20-22 June 2016) - Declaration on Rail Freight Corridors

In view of the Land Transport Working Party on 13 June 2016, delegations will find attached **PL** comments on the above-mentioned subject.

Ministerial declaration

ROTTERDAM DECLARATION Rail Freight Corridors to boost international rail freightTEN-T RFC conference, Rotterdam, 21st June 2016**INTRODUCTION**

Transport is at the heart of modern society connecting people and markets. In the light of the new challenges we face, it must be safe, efficient, non-discriminatory and environmentally sustainable. In this respect rail freight transport has a key role in the transport model of the future.

Development of international rail freight transport remains fragile in the European Union: rail freight transport in the EU is made up of approximately 50% international transport and its modal share is stable or decreasing. In 2015 rail freight in Europe was characterised by a challenging market environment and heterogeneous national developments, which resulted in different evolutions of volumes and market share, depending on country or region. On some **Rail Freight Corridors** positive results could already be noted. International rail freight is still impeded by several infrastructure and operational bottlenecks, in particular relating to crossing borders between Member States. This means that additional efforts will be required to contribute to the goal defined in the European Commission's 2011 White Paper on Transport to shift 30% of road freight over 300 km to rail and waterborne transport in 2030.

Therefore, by this declaration, Ministers wish to express their strong support for the development of international rail freight transport and in particular their strong support for the continuation of the market oriented development of the Rail Freight Corridors. Member States play a vital role in these corridors through the Executive Boards and by ensuring coordination among them.

In the first years of setting up and operation of the Rail Freight Corridors, good results and positive developments have been achieved, notably through key cooperation within their governance bodies, and through their market orientation. Now that the nine Rail Freight Corridors are operational, they enter into a new phase of their development and this Ministerial Declaration aims at providing a new and strong political impulse.

In 2015, the Executive Boards co-operated to adopt a harmonised Framework for Capacity Allocation common to all corridors, taking into account the need of a fair allocation between passenger and freight transport on rail. The success of the rail freight corridor concept largely depends on bringing the stakeholders together and using the resulting synergies for further facilitating international rail freight through a market oriented approach.

Railway undertakings and terminals are involved in the governance of the **Rail Freight Corridors** through advisory groups established by the **Management Board of** each corridor. **Although governments may play an important role in promoting the use of rail, a substantial part of the success of the Rail Freight Corridors lies in the hands of the railway sector itself.**

This Declaration on Rail Freight Corridors is **endorsed** by ministers from the EU Member States, Switzerland and Norway during the TEN-T Days 2016 in Rotterdam.

The Declaration does not create any legal or financial obligations for any party.

MINISTERIAL DECLARATION

Rail Freight Corridors to boost international rail freight

TEN-T Days 2016 Rotterdam

21 June 2016

This Declaration on Rail Freight Corridors underlines the importance of close cooperation to promote the competitiveness and growth of international rail freight transport and to work towards a sustainable Single European Railway Area for freight.

~~The Ministers,~~

(1) ACKNOWLEDGING that rail freight transport has an important part in accomplishing the goals of establishing and maintaining a sustainable Single European Rail Area.

(2) HIGHLIGHTING the positive environmental benefits that an improvement in the efficiency of rail freight transport and a more competitive rail sector can accomplish.

(3) SUPPORTING the Rail Freight Corridors and their continuous and market-oriented development in order to boost European rail freight and **to enhance its environmental performance.**

(4) WELCOMING and encouraging the continuation of the initiative shown by the Executive Boards of the Rail Freight Corridors in collaboration and co-operating to adopt a consistent approach for their customers.

(5) RECOGNISING that Rail Freight Corridors are now well established and are the rail freight back-bone of the TEN-T Core Network Corridors which structure the pan-EU transport system. They form an integral part of the logistic chain and create the link between important freight transport stakeholders such as forwarders, terminals, shippers, ports and road carriers. The Rail Freight Corridors contribute to seamless transportation across Europe, especially when integrated in intermodal transport chains.

(6) RECOGNISING that Railway Infrastructure Managers have a key role in the development of the Rail Freight Corridors, in particular through the implementation plans and the offering of coordinated infrastructure capacity via the Corridor One-Stop-Shops.

(7) RECOGNISING the work of the TEN-T Core Network Corridors towards the removal of infrastructure bottlenecks and the achievement of the TEN-T infrastructure requirements. In this context the Ministers take note of other relevant EU initiatives, e.g. Horizon 2020, CEF funding and Shift2Rail, for the development of international freight.

(8) ENCOURAGING on an equal basis, the cooperation between the governance structures of TEN-T Core Network Corridors and the Rail Freight Corridors with the engagement of the sector, taking into account the principles of transparency and non-discrimination.

(9) EMPHASIZING that the success of the rail freight corridors will depend on the benefits brought to shippers, intermediate parties and, finally, the end customers, in purchasing transport services and to society as a whole in the form of environmental and health benefits, while also taking into account the costs. In doing so, a dynamic environment will be established which will result in a more efficient modal distribution of freight transport across Europe.

(10) WELCOMING the initiative of the rail sector to work together and to adopt a sector statement also presented on 21 June 2016, with clear commitments and noting the expectations of the rail sector for the further development of Rail Freight Corridors.

(10a) NOTING in this context the 2016 adopted baseline for ERTMS, which will serve as a stable standard for investments in ERTMS vehicle on-board units, facilitating their acceptance on all TSI compliant lines.

(10b) RECOGNISING the importance of ERTMS for the longer-term competitiveness of rail, as well as the need for a sound economic model for **its** implementation.

(11) ACKNOWLEDGING that the reduction of transport noise is an key-issue in some densely

[Comment: *There are densely populated areas where rail noise is no issue. We shouldn't use overstatements, especially when they're not factual. In some areas the problem has been already solved by use of noise barriers or speed limitation.*]

populated areas and an important contribution to safeguard the acceptance by citizens affected. Acknowledging that facilitating the reduction of noise at source is a cost-effective way of addressing this issue, although infrastructure related measures will remain relevant – in this respect, extension of financial support to wagon keepers should also be considered.

[Comment: Due to high costs of retrofitting wagons with tired wheels, which still are used in Poland, and our wish to maintain competitiveness of railway transport in EU, we stress the need for ensuring additional funding for retrofitting of such wagons, which should ensure also funding of additional works required for retrofitting older wagons (purchase of new monoblock wheels, adjustment of braking system etc.).]

(11a) NOTING the Commission Staff Working Document on rail noise **reduction** and considering welcoming *[Comment: As PL has many reservations to this issue, we would prefer different wording.]*

in this regard the Commission's initiative to ~~propose a revised TSI Noise~~ **to propose appropriate and proportionate initiatives** in early 2017 to address this issue while taking into account that the extent of the problem is not the same in every Member State.

[Comment: The level of the noise problem is not similar in every Member State and the different situations and conditions that exist in different Member States should be considered. PL supports the joint proposal of EE, LT, LV, presented at WP 3/07, stressing out the need to include a reference to the specificities of particular MS.]

(12) ~~RECOGNISING the importance of ERTMS for the longer term competitiveness of rail as well as the need for a sound economic model for such implementation.~~

(13) NOTING the ongoing evaluation of Regulation (EU) 913/2010 establishing the Rail Freight Corridors undertaken by the European Commission which should take into account this Ministerial Declaration and the sector statement.

Ministers have identified the following objectives and activities that are important to achieve these goals and that support the development of international rail freight transport through the implementation of the Rail Freight Corridors:

A. Making international rail freight a more attractive option for customers and citizens

1. Welcome the initiative of the sector to further develop and implement EU harmonized Information and Communication Technology infrastructure necessary for smooth and timely operations on Rail Freight Corridors.
2. Encourage the railway sector to use existing data and to share relevant data among relevant parties within the logistic chain, including terminals, to further develop the competitiveness of international rail freight transport.

3. Conclude that action at the European level might be ~~is~~ necessary for the reduction of rail

[Comment: PL is not convinced whether it is in line with the subsidiarity principle.

While we agree that some countries may consider this issue important and introduce certain solutions on their territories, we don't think that forcing European-wide solutions is needed.]

noise in some densely populated areas; among others this may include an in-depth analysis and a possible proposal by ERA to the European Commission on the implementation of applying TSI Noise concerning noise limits for existing wagons used for international freight services. ***[Comment: PL opposes this deletion. We don't think that imposing EU rules for national freight services is relevant and meets the principle of subsidiarity.]***

The **Appropriate and proportionate** measures should be developed in cooperation with the railway sector, taking into account the extent of the problem in different Member States and objectives for interoperability and competitiveness of the rail sector compared with other modes of transport. ~~In addition Member States remain competent to protect citizens against excessive rail noise in specific situations.~~

[Comment: As explained in the comment no 4.]

B. Making the governance of the Rail Freight Corridors more efficient

1. Encourage the Executive Boards at Corridor level to discuss high-level strategic issues at least once a year.
2. Note the desire of the Railway Undertakings Advisory Groups / Terminal Advisory Groups for a greater input to discussions within the Rail Freight Corridors, and encourage the Rail Freight Corridors to consider how this might be facilitated.
3. Invite the Management Boards, together with the Executive Boards, to consider an annual rail freight conference for networking between the relevant stakeholders of all Rail Freight Corridors, with a focus on the performance of the services and the needs of the end customers.
4. Encourage the opening of the Advisory Group structure to interested railway customers.
5. Welcome the sector initiative to develop a set of basic harmonized Key Performance Indicators for the Rail Freight Corridors, taking into account the general objectives as defined by the Executive Boards and the Framework for Capacity Allocation as decided by the Executive Boards jointly; and taking into account the performance of all international freight trains as well as the services supplied by the Corridor One Stop Shop. In order to avoid duplication of work and further administrative burdens ongoing works on key performance indicators should be considered.

C. Enhancing operational efficiency

1. Welcome and support the sector initiative to identify and map out issues to be addressed for the further development of international rail freight transport in cooperation with National Safety Authorities and the **European Union Agency for Railways (EUAR)**, for example for border crossing issues. Encourage the Management Boards of the Rail Freight Corridors as well as the Executive Boards to consider the sector proposals in the context of their periodic reviews of implementation and investment plans.
2. Encourage on an equal basis, the cooperation between the Rail Freight Corridors and the TEN-T Core Network Corridors; highlighting that the Rail Freight Corridors have the competence for operational issues for international rail freight, which will help to identify and alleviate infrastructure bottlenecks along the corridor and achieving TEN-T targets.
3. Note the possibility, without prejudice to decisions about the EU budgetary decision-making process, of adapting the application of financing schemes at EU level in order to resolve infrastructure bottlenecks with low cost and high impact at the **Rail Freight Corridor** level.
4. Encourage the exchange of information between the Executive Boards and the Management Boards to synchronize the roll-out of ERTMS relevant for the Rail Freight Corridors and support continued dialogue with the railway undertakings. Note the importance of **EUAR**'s responsibility in relation to cross-border operations for developing an efficient vehicle authorization strategy for ERTMS on board units in collaboration with national safety authorities and stakeholders.
5. Note the initiative from the Infrastructure Managers to apply in a harmonized way the common guidelines currently adopted and undertake to assess any potential regulatory inconsistencies at national level.
6. Stress the importance of removing technical rules at national level where appropriate as mentioned in the 4th Railway Package and ask the Infrastructure Managers to contribute actively to **EUAR**'s work on harmonization of operational rules in order to guarantee a successful implementation of the 4th Railway Package. Encourage the Infrastructure Managers to take measures to improve the coordination of works taking into account Article 12 of Regulation (EU) 913/2010.

D. Ensuring adequate capacity for all users

1. Welcome the further development and strengthening of cooperation among Corridor One-Stop-Shops and encourage the Executive Boards to continue working with Infrastructure Managers and Regulatory Bodies to develop the framework for capacity allocation, taking into account Regulation (EU) 913/2010 as required.
2. Welcome the sector's initiative to elaborate on and make a proposal regarding the redesign of the timetabling process, with the objective of improving the efficiency of rail freight services, promoting appropriate and fair allocation of capacity between passenger and freight transport and bringing allocation of railway infrastructure freight capacity closer to market needs.
3. Encourage the Management Boards to assess how reserve capacity can be managed in order to best meet market needs on the Rail Freight Corridor.
4. Encourage the Management Boards of the Rail Freight Corridors and the Infrastructure Managers concerned to review the dedicated capacity in light of the results of the relevant Transport Market Studies, **reports prepared in accordance with Article 22 of Regulation (EU) 913/2010** and the Framework for Capacity Allocation as decided jointly by the Executive Boards. The dedicated capacity should take into account the needs of other rail traffic including rail passenger traffic.

The Ministers will regularly monitor the effects of this Declaration on Rail Freight Corridors to boost international rail freight in Europe, in particular in the coming two years.

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Acronyms:

CNC: Core Network Corridors

C-OSS: corridor one stop shop

EC: European Commission

EDP: European Deployment Plan (ERTMS)

EUAR: European Union Agency for Railways

ERTMS: European Rail Traffic Management System

IM: Infrastructure Manager

KPI: Key Performance Indicator

NSA: National Safety Authority

RAG: Railway undertakings Advisory Group

RFC: rail freight corridor

RU: railway undertaking

TAG: Terminal Advisory Group

TEN-T: Trans-European Networks - Transport

TSI: Technical Specification Interoperability
