Conference on international rail transport law

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“Railway Transport and Interoperability”
European Commission
Content

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2 – A continental railway area: what regulation?

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Introduction: A new railway geography after EU enlargement

EU (1st May 2004)
15 +
Lithuania, Latvia, Estonia, Czech Rep., Hungary, Slovakia, Poland, Slovenia

EEA
Norway Liecht.

EU bilateral agreement
Switzerland

EU candidates
Turkey
Bulgaria, Romania

OTIF
Balkans, Irak, Maroc, Algeria, Syria, Libanon, Tunisia
Albania, Iran

OSJD
Azerbaijan, Byelorussia, China, Cuba, Georgia, Kazakhstan, Kirgizia, Korean PDR, Russia, Tajikistan Turkmenistan, Ukraine, Uzbekistan, Vietnam
Introduction: A new railway geography after EU enlargement
Railway regulation in the EU

➢ **Aim:**
  Cross-border services under a single responsibility to ensure quality of services to the final customer

➢ **Principles:**
  – Opening of the rail freight markets
  – Interoperability (legal, administrative, technical)
  – Common approach to safety
Railway regulation in the EU

- In place today:
  - Access to infrastructure for international freight services
  - Regulatory body
  - Separation infrastructure / operation (accounts, essential functions)
  - Technical specifications for Interoperability (TSI) for high speed rail systems
  - Competition rules (State aids, abuse of dominant position, cartels)
Railway regulation in the EU

- **2004-2005:**
  - European railway Agency in charge of safety and interoperability common developments
  - Technical specifications for Interoperability (TSI) for conventional systems (freight)
  - National safety authorities
Railway regulation in the EU

- **Post 2005**:  
  - Further opening of rail market (passengers)  
  - Common safety approach  
  - EU locomotive drivers certification system  
  - EU training facilities certification system
Interoperability in the EU

Interoperability on the EU territory

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EU Mandatory Technical Specifications for Interoperability (TSI)

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EU Verification and admission procedures
### Interoperability related activities

#### Programming mandates and TSI development

<table>
<thead>
<tr>
<th>Event Description</th>
<th>Year(s)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Adoption of Directive 96/48</strong></td>
<td>1996</td>
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<tr>
<td>Adoption of mandates</td>
<td>1997</td>
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<tr>
<td>Development of High Speed TSIs</td>
<td>1997</td>
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<tr>
<td>Implementation of High-Speed TSIs</td>
<td>1997</td>
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<tr>
<td>Revision of HS TSIs</td>
<td>2002</td>
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<tr>
<td><strong>Adoption of Directive 2001/16</strong></td>
<td>2001</td>
</tr>
<tr>
<td>First mandate (CCS, OPE, NOI, WAG, TEL-FRE)</td>
<td>2001</td>
</tr>
<tr>
<td>Development of first CR TSI group</td>
<td>2001</td>
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<tr>
<td>Implementation of first CR TSI group</td>
<td>2002</td>
</tr>
<tr>
<td>Second mandate (TUN, ACC, AIR)</td>
<td>2002</td>
</tr>
<tr>
<td>Development of second CR TSI group</td>
<td>2002</td>
</tr>
<tr>
<td>Implementation of second CR TSI group</td>
<td>2005</td>
</tr>
<tr>
<td>Third Mandate (other TSIs)</td>
<td>2002</td>
</tr>
<tr>
<td>Development of third CR TSI group</td>
<td>2005</td>
</tr>
<tr>
<td>Implementation of third CR TSI group</td>
<td>2006</td>
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<tr>
<td><strong>Adoption of Modification Directive</strong></td>
<td>2003</td>
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<td>Adoption of workprogramme preparing the extension of the scope</td>
<td>2005</td>
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<tr>
<td>Mandate for the first new/amended TSI group</td>
<td>2005</td>
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<tr>
<td>Development of the first TSI group</td>
<td>2005</td>
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<tr>
<td>Legal extension of the scope</td>
<td>2005</td>
</tr>
<tr>
<td>Implementation of first TSI group</td>
<td>2008</td>
</tr>
<tr>
<td>Following mandates (new areas, revision …)</td>
<td>2008</td>
</tr>
</tbody>
</table>
The future decision making process

Commission assisted by Committee (MS)

Decides on TSI, CST and CSM

Develops and proposes TSI, CST and CSM

Notified bodies, national safety authorities, investigation bodies

Implement

European rail agency

Experts working groups

Social partners

Users organisations
A continental railway area: what regulation?

- **Aim**: Cross-border services under a single responsibility to ensure quality of services to the final customer, along selected corridors.

- **Principles**:  
  - Opening of the rail freight markets  
  - Interoperability (legal, administrative, technical)
# A continental railway area: room for improvements

<table>
<thead>
<tr>
<th>Corridor</th>
<th>Average journey duration</th>
<th>Target journey duration</th>
</tr>
</thead>
<tbody>
<tr>
<td>Corridor II</td>
<td>12 days</td>
<td>3 days</td>
</tr>
<tr>
<td>Berlin – Moscow</td>
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</tr>
<tr>
<td>Corridor IV</td>
<td>6 days</td>
<td>4 days</td>
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<tr>
<td>Berlin-Istanbul</td>
<td></td>
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</tr>
</tbody>
</table>
Field of application of EU TSIs and of APTU / ATMF:

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- Lithuania, Latvia, Estonia, Czech Rep., Hungary, Slovakia, Poland, Slovenia

**EEA**
- Norway
- Liecht.

**EU bilateral agreement (?)**
- Switzerland

**EU candidates**
- Turkey
- Bulgaria, Romania

**OTIF**
- Balkans, Irak, Maroc, Algeria, Syria, Libanon, Tunisia
- Albania, Iran

**OSJD**
- Azerbaijan, Byelorussia, China, Cuba, Georgia, Kazakhstan, Kirgizia, Korean PDR, Russia, Tajikistan, Turkmenistan, Ukraine, Uzbekistan, Vietnam
Relationship EU - COTIF 99

- Adhesion to 1999 Vilnius Protocol: Negotiations completed, decision to conclude on EU side pending
- Effective by entry into force of the new COTIF in 2005
- To ensure compatibility between EU and COTIF instruments
- To use COTIF as a forum to develop continent-wide interoperability together with OSJD
Relationship OTIF - OSJD

- Full support to Common position OTIF-OSJD established in February 2003
- Need to define a robust work programme. EC ready to participate and support.
- Implementation of CIM 99 / SMGS: works already done (UIC), possibility to implement CIM 99 along selected corridors?
State of mind:

- Simplify, simplify, simplify!
- Reduce costs of railway operations and improve competitiveness vis-à-vis other modes
- Priority is long distance freight / start with short to medium term measures
Deepen OTIF-OSJD co-operation

Design a joint consignment note: draft to be ready by end of 2004?

Identify technical, customs and administrative bottlenecks along selected corridors

Pilot projects to apply CIM 99 along selected corridors