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EXECUTIVE SUMMARY OF THE EVALUATION

of

Regulation (EU) No 913/2010

concerning a European rail network for competitive freight

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Evaluation of the rail freight corridors

In 2010, the co-legislators introduced a new and innovative legal instrument to improve the operation of the main international railway lines used for the transport of goods across the EU and with European third countries.

The Regulation on rail freight corridors came into effect after 20 years of legislative efforts to open national markets to competition through a series of eight directives adopted in three packages. These efforts addressed the execution of legal measures covering national networks and revealed themselves insufficient to support the development of cross-border rail freight traffic, which accounts for 52% of traffic.

The Regulation aimed to break down the silos of national structures that govern and operate the rail infrastructure. It led the whole rail community to cooperate to pursue a more integrated rail network for freight. It rightly focused on the need to provide international rail freight services with sufficient, flexible and first-rate infrastructure capacity (train paths) along eleven rail corridors, and consequently improve their performance in terms of reliability, punctuality and speed. It also correctly targeted the main players responsible for the design, schedule and release of that cross-border capacity: Member States and infrastructure managers. These two players have combined their efforts in two distinct bodies at strategic (executive bodies) and operational (management bodies) levels.

The evaluation confirms that while the legislation clearly requires Member States and infrastructure managers to deliver results, it gives them plenty of freedom as to how to achieve that result. To cover the international range of rail corridors, stakeholders mainly relied, to varying degrees in various corridors, on processes and tools already in use at national level. By contrast, the Regulation introduced two specific products, one to respond to requests for international infrastructure capacity (one-stop shop) and one to reserve capacity for the exclusive use of rail freight operators (pre-arranged train paths).

Costs for implementing the legal measures, in particular its governance, have not been excessive (EUR 55 million) and have primarily been covered by the Union budget (EUR 35 million).

The new legal instrument prompted all players active in the freight supply chain to strengthen their cooperation and become increasingly aware of the barriers that rail freight faces along international routes. Rail freight corridors also provided a fertile ground for the development of new promising initiatives targeting the removal of technical and operational bottlenecks, the modernisation of timetabling, and the prediction of train arrival times.

In general, the Regulation contributed to the objective of improved cooperation, and also - but to a lesser extent - the objective of increasing the competitiveness of rail freight in the multimodal transport system.

Its results are far from significant for growth in traffic volumes (modal shift) and improvement in performance (reliability, punctuality and speed) where benefits are difficult to identify and quantify. The lack of tangible results is in part due to incomplete implementation, failure to conform to the spirit of the legal act and the prevalence of national attitudes over common international practices. Another contributing factor has been the Regulation's high-level nature with respect to the definition of instruments and means of compliance.

The use of the specific products introduced by the Regulation (one-stop shops and pre-arranged train paths) has been lower than expected. The contribution of the Regulation to coordinating cross-border investments has been limited and the main players failed to thoroughly monitor the performance of rail freight services with a view to developing and implementing effective plans to improve performance. Moreover, implementation did not include an effective network approach for harmonising processes and tools. The resilience of rail freight corridors was put to the test by major accidents. These accidents caused unprecedented disruption to freight logistics chains throughout Europe. They highlighted that management based on national attitudes had a low level of preparedness for reacting to disruptive events.

The Regulation would benefit from a better alignment with two relevant legal acts that were subsequently adopted: the 2013 TEN-T Guidelines[1] for geographical and investment aspects, and the 2012 Directive establishing a single European railway area[2] for capacity issues.

In spite of these negative results, the concept of safeguarding capacity for cross-border rail freight on the basis of harmonised EU rules has shown its full validity during the COVID-19 pandemic. The performance of rail freight services drastically improved following the reduction in rail passenger services. It is evident that one of the key success factors for rail freight remains the availability of good quality rail infrastructure capacity in ample quantity.

These good results need to be made permanent. Several key factors relating to the provision and management of rail infrastructure are crucial for unleashing the full potential of rail freight in the multimodal transport of goods. Providers of international rail freight services are still unduly inhibited by the inconsistent planning of national investments across borders, the lack of priority given to rail freight in operation, uneven national rules (both technical and operational), and the lack of adequate infrastructure in terminals.

Unless these problems can be resolved by means of a more holistic and network-centric approach, it is unlikely that the European Green Deal objective to shift a substantial part of freight from road to rail in the next decade will be met. In line with the sustainable and smart mobility strategy, the Commission will therefore undertake an impact assessment to analyse complementary or alternative measures to overcome the problems and achieve the Regulation's objectives.

[1] Regulation (EU) No 1315/2013 of the European Parliament and of the Council of 11 December 2013 on Union guidelines for the development of the trans-European transport network and repealing Decision No 661/2010/EU (OJ L 348, 20.12.2013, p. 1).

[2] Directive 2012/34/EU of the European Parliament and of the Council of 21 November 2012 establishing a single European railway area (OJ L 343, 14.12.2012, p. 32).