



**Press Release 12.01.07**

## **Separation of Railway and Infrastructure disputed in the European Parliament**

The Transport Committee Rapporteur, Michael Cramer made a strong point in the European Parliament yesterday, stating that only an actual separation of railway undertaking and infrastructure manager into two completely independent institutions can reliably reduce potential discrimination. It is necessary to prescribe such a separation by EU law.

Several MEPs submitted amendments to Cramer's text, proposing to either delete entire paragraphs that favour full separation (Jarzembowski, Romagnoli, Stockmann, Liberadzki), or to strongly rephrase the report into more subtle wording (Piecyk, Albertini, Veneto, Vincenzi).

The critical voices emphasised the present situation throughout the EU in terms of separation. They said that (especially in the new member states) full separation has not always been achieved, and is not feasible nor desirable, especially in case where a well functioning regulatory authority has not been set up.

The EIM (European Rail Infrastructure Managers) fully agrees with the observations made by Rapporteur Michael Cramer. To achieve non-discriminatory access to the network and on-rail competition, a cosmetic separation of functions is not sufficient and only EU law can prescribe an actual separation into two completely independent institutions.

For example, the UK and Swedish experiences (where market share for rail is growing) confirm that it was right for the EU to choose the open access packages on the railways.

The release of the First Railway Package in 2001 was a major attempt to reform the railway sector. The main objectives were to improve competition, create more and better international freight rail services and improve the use of infrastructure capacity.

Six years later, EIM believes that it is now time to take stock of these aspirations, especially as all three directives of the Package should have been implemented in Member States' legislation by March 2003 at the latest.

However, examples show that those administrations who are seeking to prevent or delay full implementation of the open access packages will allow for **anticompetitive and monopolistic practices** to continue. These administrations are preventing growth and service quality improvements that customers want, but also preventing private sector investment in the railways.

EIM, calls on the European Commission and all Member States to urgently implement the EU open access proposals in a fair, comprehensive and transparent manner, to achieve the growth, improved service quality and private sector investment that both the industry and its customers so desperately need.



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### **Notes to the Editor:**

For further information on EIM:

<http://www.eimrail.org>

For EIM position papers on the 1st railway package:

[http://www.eimrail.org/pdf/bro/EIM\\_ERFA\\_ERFCP-Revision\\_of\\_1st\\_RP-17.01.06\\_1.pdf](http://www.eimrail.org/pdf/bro/EIM_ERFA_ERFCP-Revision_of_1st_RP-17.01.06_1.pdf)

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