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**DETERMINATION OF RAILWAY INFRASTRUCTURE CAPACITY INCLUDING ASPECTS
RELATED TO THE FEE FOR THE USE OF THE INFRASTRUCTURE**

Transmitted by the Forum Train Europe (FTE)

During its fifty-fourth (3-5 October 2000) session, the Working Party on Rail Transport considered inter alia the determination of railway infrastructure capacity including aspects related to the fee for the use of the infrastructure (TRANS/SC.2/194, para.18-21). During the session, the Working Party agreed that the emerging system on rail infrastructure management should take full consideration of the particular needs of international freight transport. In connection with this item, the Working Party felt that it would be useful to receive information from Forum Train Europe (FTE) on existing practical problems linked to capacity allocation for international freight services.

The information submitted by the Forum Train Europe (FTE) on this item is reproduced below.

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Forum Train Europe, the «Timetable Factory» of Europe

1. What exactly is the "Forum Train Europe"

The Forum Train Europe (FTE) coordinates and organizes European train traffic, guaranteeing a good quality of international timetables for passenger and freight services.

Trains in great numbers are crossing national borders in Europe every day. This is not a matter of course. Who runs a train at what time and where, is set down in a forum for the coordination of international timetables, the Forum Train Europe (FTE).

For the FTE, the client comes first in its concerns. With a European timetable of good quality to attract more traffic from road to rail is the highest aim of the FTE. Quality, flexibility and short reply periods to client requests are of prime importance. So for example also the EU projects for high-quality international freight train paths were realised within the auspices of the FTE (North-South Freight Freeways, BELIFRET, East-West Freightway etc.).

The FTE is the only pan-European organization for comprehensive international product planning, timetable coordination and harmonisation of the train paths to be allocated in passenger and freight transport on rail. International planning is not limited to railways of the EU countries, but includes all European states. It respects both the valid EU Directives and the pertinent national regulations for rail traffic.

Around 70 members from 35 European countries - from Portugal to Russia, and from Turkey to Scandinavia - currently adhere to the organisation. It is open to all European railway undertakings¹ and infrastructure managers² and all organizations and companies participating in international railway traffic. The present form of the FTE was newly established on 1 January 1997 as successor organisation of the two former European timetable conferences in passenger (EFK) and goods (EGK) traffic.

Business management for the passenger traffic sector has been assumed since 1923 by the Swiss Federal Railways SBB (President of FTE: Mr. Pierre-Alain Urech, Deputy CEO and Head of Infrastructure Division SBB), while the freight sector has been managed since 1924 by the Czech Railways CD (Co-President FTE: Mr. Jaroslav Kocourek, Senior Director of Distribution and Operation CD).

The FTE is not an organization with an independent business policy, but a framework organization in which all participants are acting on their own responsibility towards their respective countries and towards the EU remits concerning non-discrimination and separation of the two functions «Infrastructure» and «Operation». Under the common FTE roof, the tasks,

¹ "railway undertaking" means any public or private undertaking, licensed according to applicable Community legislation, the principal business of which is to provide services for the transport of goods and/or passengers by rail with a requirement that the undertaking must ensure traction; this also includes undertakings which provide traction only

² "infrastructure manager" means any body or undertaking that is responsible in particular for establishing and maintaining railway infrastructure. This may also include the management of infrastructure control and safety systems. The functions of the infrastructure manager on a network or part of a network may be allocated to different bodies or undertakings

competences and responsibilities are clearly apportioned between the railway undertakings and infrastructure managers.

In order to create a new passenger and freight timetable product every year, a process organization structured by requirements of schedule and subjects was set up, with a yearly cycle of four planning phases and three global conferences.

Apart from the purely planning side of the work for the international train connections, the FTE deals also with general issues such as:

- definition of the rules for production and train path planning;
- improvement of interoperability;
- fixing of the dates of the timetable change.

So the General Assembly of the FTE of 21 April 1999 decided to move the timetable change from formerly May/June to mid-December, effective as from 2002.

The FTE's aim is to simplify and accelerate the whole timetable planning processes between the European countries, so that client enquiries can be handled more quickly and with the highest quality. In order to reach this ambitious goal, strategic solutions are currently being sought in the direction of "eBusiness".

Further development of the FTE must in the future go in this direction in order to position itself as an open, flexible and efficient organization.

2. What is contained in the infrastructure package of the European Union?

The infrastructure package, consisting of three Directives, has been passed by the Council of Transport Ministers, and by the European Parliament. The Directives were published in the official bulletin of the European Union in mid-March 2001. They set the deadline of 15 March 2003 for implementation and adoption in national laws.

- **2001/12/EC of 26 February 2001** amending Directive 91/440/EEC of the Council on the development of the Community's railways.
 - A revised 91/440, which, among other things, opens the access rights to international freight on a defined trans-European railway network, and until March 2008 at the latest opens them on the remaining EU networks.
- **2001/13/EC of 26 February 2001** amending Directive 95/18/EC of the Council on the licensing of railway undertakings.
 - A revised 95/18, extending the area of validity for the attribution of licences, and through which a licence becomes mandatory for all railway undertakings;
- **2001/14/EC of 26th February 2001** on the allocation of railway infrastructure capacity, the levying of charges for the use of railway infrastructure and safety certification.

- A new Directive on the charging for infrastructure use and on capacity allocation, replacing 95/19, and containing the extended and more detailed regulation for the remuneration of access to the infrastructure and capacity allocation, and a framework for safety certification.
- Allocation of capacity to licenced railway undertakings or, on a national scale, to other applicants without discrimination and priorities.
- Cooperation with other bodies for the allocation of international capacities. Organisation of international routes, in particular for the Trans European Rail Freight Network (TERFN).
- Development of the time schedules for the planning of travel times, the short-term allocation of capacities, and the changes to the timetables. Set-up of a plan to boost train path capacity in case of overloaded infrastructure.
- Ad-hoc requests for individual train routes must be answered within five working days.
- If adequate alternative routes exist, priorities in timetables and in the coordination process - for public services or freight performances - are to be applied solely if the infrastructure is overloaded, or if it is a specialized one.

The European Commission intends to monitor the implementation process that the member states have to carry out. It prepares an uncommonly extensive action with which it intends not only to supervise, but also to steer the adoption into national laws and prescriptions. The Commission's aim is to achieve a stronger harmonisation among the member states.

3. How are railway infrastructure capacities allocated within the scope of the FTE?

The Directive 2001/14 defines a legal framework for international cooperation between the infrastructure managers in the allocation of infrastructure capacity³. The aim of this cooperation is to enable an efficient planning and allocation of international infrastructure capacities, or train paths⁴, particularly on the "Trans European Rail Freight Network (TERFN)".

When allocating capacity, the infrastructure managers must adhere to a formal schedule prescribed by the FTE.

The responsibility for railway infrastructure capacity allocation lies with the (national) infrastructure managers, since the used or available capacity on a specific line or in a knot does not depend on the national or international character of the individual trains. This responsibility includes also the decision-finding process both in regard to the creation of train paths, and also the allocation of the train paths to the railway undertakings. There is no separation in the decision-finding process between the allocation of infrastructure capacity for national or international services, or between passenger and goods transport.

The specific task of coordination of allocation of the international capacities is currently assumed by the Forum Train Europe (FTE), the umbrella organization for the execution and promotion of the necessary coordination at an international level. The FTE is responsible for

³ "infrastructure capacity" means the potential to schedule train paths requested for an element of infrastructure for a certain period

⁴ "train path" means the infrastructure capacity needed to run a train between two places over a given time-period

process management and process planning regarding the allocation of international capacity, meaning decisions on deadlines for timetable changes, the manner in which the exchange of information takes place, and the internal time schedules of the process.

Through the strong participation of the railway undertakings in the FTE, they can make known their capacity requirements to the infrastructure managers. The required iterative planning to guarantee the necessary cohesion between the elaboration of the timetables by the infrastructure managers on the one side, and the planning of products and of production (e.g. planning of rolling stock and train staff deployment) by the railway undertakings on the other side, is an important argument for the participation of the railway undertakings in the planning process of the FTE.

4. What is the priority regulation in the allocation of railway infrastructure capacity in Europe?

Under the prevailing legal framework conditions for the allocation of railway infrastructure capacity, the danger exists today that not enough high-quality train paths can be made available to freight transport on rail, because in the order of priority, it is placed behind the other traffic. Without these train paths, vital for the freight transport operators, their business is put in jeopardy. With the integral regular-interval timetable in passenger traffic, the many instances where intervals are shortened, and the passenger trains running out of cadence, freight traffic is increasingly condemned to a marginal existence. Long-distance freight train paths can be precluded by short-distance train paths for regional passenger trains. With the liberalization of freight traffic on rail, operators will increasingly become active in the performance of railway transport, particularly in point-to-point traffic. The market of freight traffic therefore needs more flexible solutions, meaning that here, a need-oriented train path planning will be applied.

In passenger traffic however, a so-called offer-oriented planning is applied, meaning that the train paths can be planned with a time horizon reaching beyond that of one timetable period. The closely-meshed, coordinated train services offer in regional and long-distance passenger traffic, whose elements as for instance number of trains, train stops, travel times, connections etc. that are harmonised with each other, constitutes the backbone of the whole public transport system. This so-called system traffic - passenger and goods traffic based on a transport chain of harmonised offers - enjoys a corresponding priority in the use of most networks. Also certain freight traffic offers belong to the system traffic.

As is well known, the infrastructure managers have to grant the railway undertakings a discrimination-free access to the infrastructure. They allocate the train paths as per the order of priority according to their national legislation. In the granting of the access to the network, the cadenced passenger services have priority in most countries, as mentioned above. Therefore the following principle, or the following priority regulation in the allocation of railway infrastructure capacity by the infrastructure managers is applied:

- passenger transport comes before goods transport;
- scheduled traffic comes before charter traffic;
- system traffic has priority on all railways;
- within system traffic, cadenced traffic is given priority (meaning that a train running every hour has priority over a train running only once a day).

In order that in the future, railway goods transport can play a more important role, the European Union wants to move goods transport higher up in the order of priority. According to EU Directive 2001/14, the infrastructure managers create international train paths, and this particularly in the scope of the Trans-European Rail Freight Network (TERFN). It is therefore a goal to obtain a higher priority for the international and national freight traffic, and thus gain a better market position, on an European and national level.

With the allocation of a train path in freight traffic, it is normally not a question of arriving at destination as quickly as possible, but of giving an accurate indication of the time of arrival (just-in-time delivery). Whether the freight train is running ahead or after the passenger train, is less important. Real conflicts therefore come up only if the absolute capacity limit (absolute number of trains) is reached, or if shifting the train paths for passenger traffic would entail losses of correspondences.

In order that freight traffic on rail can be guaranteed, there is an urgent need for action. One pertinent measure is the creation of systemized high-quality train paths for freight traffic, with regard to an optimal use of the existing network.

5. Systemized border-crossing freight traffic (system train paths), a project of the FTE

System train paths are train schedules set up and offered by the infrastructure manager in view of an efficient use of capacity of the network, without a specific request of a railway undertaking.

Construction parameters, starting and destination points and the marginal conditions are being harmonised with major clients to safeguard marketability. This represents a fundamental change compared with the procedure as adopted until now in the sale of train paths to market the free capacities.

The main goals of systemization are an improvement of quality and stability of the freight train timetable and the whole timetable, and an optimal use of scarce infrastructure capacities. Quickly available system train paths, constructed according to market requirements, and meshed with one another, offer the chance of a faster, better and very client-friendly realization of transport requirements of the Cargo enterprises. With a systemized freight traffic, a win-win situation shall be created both for the railway undertakings and the infrastructure managers.
