



Rail Freight
Corridor 8

North Sea – Baltic



Common Statement of Rail Freight Corridor North Sea – Baltic on implementation experiences 2012-2015

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Foreword

Following its adoption by the European Parliament and the Council on 22 September 2010, the Regulation (EU) 913/2010 concerning a European rail network for competitive freight entered into force on 9 November 2010.

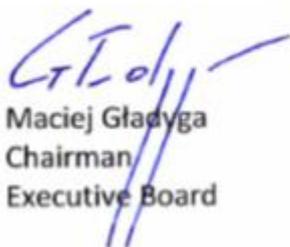
In accordance with the Regulation, Rail Freight Corridor 8 North Sea – Baltic is among the three corridors that are to be established by 10 November 2015. However not yet fully operational, RFC 8 engaged a lot of work and effort from its team. Meticulous preparation for the Corridor's launch resulted not only in compliance with the planned timetable but also a thorough evaluation of the Regulation itself.

Even though RFC North Sea – Baltic is not required yet to present to the Commission the results of the implementation plan under Article 22, we would like to share our experiences in implementing our corridor since 2011.

First and foremost, we would like to emphasize that our hitherto experiences with the implementation of the Regulation are definitely positive. As a solid legal basis it enabled us to work effectively on putting the rail freight corridors idea into effect. In the course of its application, however, we faced a number of minor challenges, as some desirable solutions were not provided for.

This assessment of the Executive Board and Management Board of RFC 8 is without prejudice to the competence of a Member State to express its position at the Council of the EU in view of a potential revision of the Regulation (EU) 913/2010.

We look forward to discussing these proposals and we express our readiness and willingness to become involved in the consultation process.



Maciej Gładys
Chairman
Executive Board



Oliver Sellnick
Chairman
Management Board

1. Governance

1.1. Management Board and Executive Board – voting procedure

As stated in Art. 8 point 3 both managing structures of the corridor, the Executive Board and Management Board cooperate to ensure its development. For that reason the decision-making process is according to Art. 8 point 4 and 5 based on mutual consent of the partners concerned. This leads the partners to look for a compromise both in a horizontal and vertical meaning and keep a consistency with the policies of Member State(s). The insofar experiences show that this way of decision-making has never caused a delay in the implementation of the corridor, as its partners have always been aware of their responsibility and have worked towards reaching a consensus that they could also answer for. Consequently, we believe the voting procedure should not be changed in the revision of the Regulation.

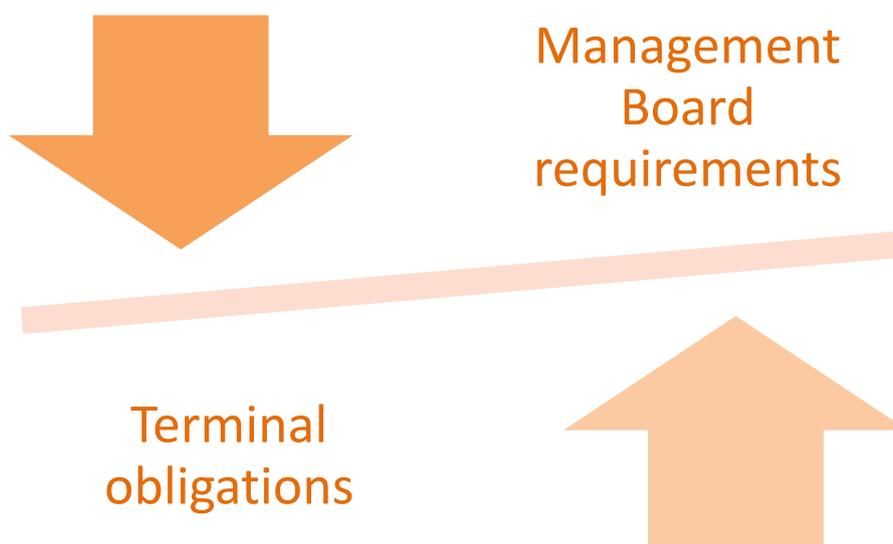
1.2. Stronger role of the Executive Board for further traffic development



The Management Board is often an addressee of the customers' complaints on the barriers for traffic on the rail freight corridor. The railway undertakings have found a good place to talk about problems of the international rail freight in RAG meetings. The two years of experiences teach us that in a number of cases the solution lies beyond the competence of the Management Board, because it falls within the scope of the Member States represented

in the Executive Board. The Ministries in the Executive Boards are the bodies responsible for evaluating law and regulations on national level and such is the case with barriers for RFC traffic. The Executive Board and related Ministries would like to focus more on the harmonization, standardization of national laws that are relevant for international rail freight transport and not only on supervising as it is written in Article 8 but have an active role in bringing instruments to the Corridor. For that reason the Executive Board should be advised by the Management Board and Advisory Groups to take away these barriers and should work together with National Safety Authorities, Regulatory Bodies, without prejudice to their independence. The dialogue between ExBo and market partners is also important, the Ministries should take a role in facilitating solutions which are out of the scope of prerogatives of Infrastructure Managers.

1.3. Role of the terminals



The Regulation specifies the Management Board tasks relating to the terminals but does not clearly determine their role, e.g. the terminals are under no legal obligation to cooperate with the RFCs on the data collection. What is more, the corridor's efforts to elicit their responsiveness within TAG meetings were of little result. Hence, we believe that there is still a need to experiment in order to find the most appropriate ways of involving terminals and find a way to also include shippers and intermodal operators.. At least the definition of the terminals should be amended in order to clearly determine the status of terminals as facilities and organizations.

1.4. Future development of the organisational framework



The organizational structures provided for in the Regulation have successfully launched six rail freight corridors and prepared the implementation of the further three. As we observe a tendency to influence corridor's activities by other organizations, often leading to the duplication of work, we hold the view that there is no need for additional organizational structures on the corridor, especially with the valuable experiences of opening up the RAG/TAG meetings to whichever terminal and railway undertaking interested.

What is more, a clear division of competences and indication of areas of cooperation between the Core Network Corridor and RFC groups is required to avoid repeated and/or contradictory work.

1.5. Harmonisation of the corridors



Hitherto experiences with the harmonisation on rail freight corridor level at RNE, RFC Talks, RAG/TAG and Executive Board level show that harmonization between the individual corridors bring an added value to their work. This proves to be especially true in the case of RFCs offer for clients who operate on more than one corridor. Nevertheless the current governance has proven to be effective in achieving both, the development of individual corridors and at the same time the harmonization among the corridors.

2. Routing and investment planning

2.1. Rerouting of the corridors

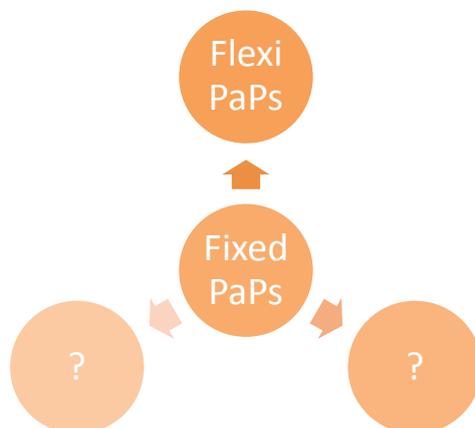
RFC North Sea Baltic encountered the dilemma of how to modify its routing while addressing the request of the Czech Ministry of Transport to extend the corridor to Czech Republic. Following this experience, we would find it particularly helpful if the revised Regulation had a provision on the rules governing the possible rerouting of the principal routes based on sound reasoning, TMS results and/or on request of the RFC. Such a provision should apply both to extensions and reductions of the corridor, as the RFCs themselves should form a network and it may prove advantageous to have a possibility to reduce overlapping between corridors and give an explicit role for the Management Board and Executive Board.

What is more, RFCs and Core Network Corridors are not exactly aligned and the flexibility to add/remove a route from a RFC should be underlined, so we can respond quickly to changes in market demand.

2.2. Investment Plan

We welcome the idea of investment planning along the main traffic flows, both for interoperable systems and for capacity enhancements. But we face a situation in the RFCs that the information is only indicative and in many cases very sensitive due to European proceedings and decisions between the responsible national ministries and their IMs. Moreover, the investments are prioritized for EU co-funding and monitored in the Core Network Corridors (CNCs) across all modes and in the EDP for ERTMS. Hence, the RFCs would rather like to focus on the identification of bottlenecks and barriers along the routes as an input to the work of CNCs and the EDP. We would very much appreciate a clarification of roles along such a natural split of responsibilities to avoid double work.

3. Corridor products – flexibility of the corridor products development



According to TMS forecasts, conditions found on some markets may lead to marginal demand for the fixed Pre-arranged Paths (PaP). The experiences of other corridors show that most of the applicants ask in their requests for changes in the Pre-arranged Paths. Consequently, we defend a position that the Management Board and the Executive Board should be provided with more freedom and flexibility in defining the corridor products in relation to the characteristics of the given corridor. In our opinion is the goal not to put a specific product in the market but to remove barriers for international rail freight, including ordering capacity, to make this more competitive compared with the other modes.

4. Traffic management

Rail freight corridors are part of the national railway network and fully integrated into this network combined with passenger and national freight traffic. Separated traffic control rules and instruments make an efficient use of network impossible. We will continue to enhance communication between Infrastructure Managers in case of disturbances on RFCs. The focus should also be more on performance management for a monitoring system and improvement programmes.