



# THE PARLIAMENT OF THE CZECH REPUBLIC

## SENATE

### 9<sup>th</sup> TERM

## COMMITTEE on EU AFFAIRS

### 112<sup>th</sup> RESOLUTION

delivered on the 12<sup>th</sup> meeting held on 22<sup>nd</sup> May 2013

**on the Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions on "the Fourth Railway Package – Completing the Single European Railway Area to Foster European Competitiveness and Growth"**

**Senate Press no. K 023/09**

**on the Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EC) No 1370/2007 concerning the opening of the market for domestic passenger transport services by rail**

**Senate Press no. N 024/09**

**on the Proposal for a Directive of the European Parliament and of the Council amending Directive 2012/34/EU of the European Parliament and of the Council of 21 November 2012 establishing a single European railway area, as regards the opening of the market for domestic passenger transport services by rail and the governance of the railway infrastructure**

**Senate Press no. N 025/09**

**on the Proposal for a Regulation of the European Parliament and of the Council on the European Union Agency for Railways and repealing Regulation (EC) No 881/2004**

**Senate Press no. N 026/09**

**on the Proposal for a Directive of the European Parliament and of the Council on the interoperability of the rail system within the European Union (recast)**

**Senate Press no. N 027/09**

**on the Proposal for a Directive of the European Parliament and of the Council on railway safety (recast)**

**Senate Press no. N 028/09**

**on the Proposal for a Regulation of the European Parliament and of the Council repealing Regulation (EEC) No 1192/69 of the Council on common rules for the normalisation of the accounts of railway undertakings**

**Senate Press no. N 029/09**

Following introductory information from Mr. Jiří Žák, Deputy Minister of Transport, taking into account the Opinion of the Committee on National Economy, Agriculture and Transport, following the rapporteur's report by Senator Jaroslav Zeman and after a debate

### The Committee

#### I. Adopts

a recommendation on

- the Communication from the Commission to the European Parliament, the Council,

the European Economic and Social Committee and the Committee of the Regions on "the Fourth Railway Package – Completing the Single European Railway Area to Foster European Competitiveness and Growth";

- the Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EC) No 1370/2007 concerning the opening of the market for domestic passenger transport services by rail;
- the Proposal for a Directive of the European Parliament and of the Council amending Directive 2012/34/EU of the European Parliament and of the Council of 21 November 2012 establishing a single European railway area, as regards the opening of the market for domestic passenger transport services by rail and the governance of the railway infrastructure;
- the Proposal for a Regulation of the European Parliament and of the Council on the European Union Agency for Railways and repealing Regulation (EC) No 881/2004;
- the Proposal for a Directive of the European Parliament and of the Council on the interoperability of the rail system within the European Union (recast);
- the Proposal for a Directive of the European Parliament and of the Council on railway safety (recast);
- the Proposal for a Regulation of the European Parliament and of the Council repealing Regulation (EEC) No 1192/69 of the Council on common rules for the normalisation of the accounts of railway undertakings,

attached to this Resolution;

## **II. Recommends**

that the Senate of the Parliament of the Czech Republic give a statement on

- the Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions on "the Fourth Railway Package – Completing the Single European Railway Area to Foster European Competitiveness and Growth";
- the Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EC) No 1370/2007 concerning the opening of the market for domestic passenger transport services by rail;
- the Proposal for a Directive of the European Parliament and of the Council amending Directive 2012/34/EU of the European Parliament and of the Council of 21 November 2012 establishing a single European railway area, as regards the opening of the market for domestic passenger transport services by rail and the governance of the railway infrastructure;
- the Proposal for a Regulation of the European Parliament and of the Council on the European Union Agency for Railways and repealing Regulation (EC) No 881/2004;
- the Proposal for a Directive of the European Parliament and of the Council on the interoperability of the rail system within the European Union (recast);
- the Proposal for a Directive of the European Parliament and of the Council on railway safety (recast);
- the Proposal for a Regulation of the European Parliament and of the Council repealing Regulation (EEC) No 1192/69 of the Council on common rules for the normalisation of the accounts of railway undertakings,

in accordance with the recommendation adopted by the Committee;

## **III. Appoints**

Senator Jaroslav Zeman the Committee's rapporteur at the plenary session of the Senate of the Parliament of the Czech Republic;

## **IV. Authorises**

the Committee Chairperson Senator Miroslav Krejča to submit this Resolution to the President of the Senate of the Parliament of the Czech Republic.

**Miroslav Krejča**  
sign manual  
Committee Chairperson

**Jaroslav Zeman**  
sign manual  
Committee Rapporteur

**Tomáš Grulich**  
sign manual  
Committee Verifier

**Recommendation to the Senate of the Parliament of the Czech Republic  
on the Communication from the Commission to the European Parliament,  
the Council, the European Economic and Social Committee and the  
Committee of the Regions on "the Fourth Railway Package – Completing  
the Single European Railway Area to Foster European Competitiveness and  
Growth"**

**on the Proposal for a Regulation of the European Parliament and of the  
Council amending Regulation (EC) No 1370/2007 concerning the opening  
of the market for domestic passenger transport services by rail**

**on the Proposal for a Directive of the European Parliament and of the  
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the Council of 21 November 2012 establishing a single European railway  
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Council on the interoperability of the rail system within the European  
Union (recast)**

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Council on railway safety (recast)**

**on the Proposal for a Regulation of the European Parliament and of the  
Council repealing Regulation (EEC) No 1192/69 of the Council on common  
rules for the normalisation of the accounts of railway undertakings**

The Senate of the Parliament of the Czech Republic

**I.**

**1. Highlights**

the advantages of rail transport, such as significantly lower environmental impact, minimal accident rate, ability to provide high capacity transport services in large urban areas and its significance for basic regional transport services;

**2. Points out**

the key role of rail technology producers in the economy of many European countries and the key importance of rail companies for employment above all in less-developed regions;

**3. Deems**

in accordance with the long-term position of the Senate, as expressed in its Resolution no. 365 of 13th October 2011 on the White Paper: Roadmap to a Single European Transport Area, that the accomplishment of the multimodal transport network, cross-border interconnection, and eradication of differences in the transport infrastructure between the West and East part of the EU are crucial for further development of European transport;

## **II.**

### **1. Recalls**

undeniable benefits of increased competition on railways for passengers on certain routes in terms of fare, service quality and frequency of train services;

### **2. Is of the opinion**

that awarding long-term contracts in the framework of Public Service Obligation should be based, whenever possible, on a tender procedure which would take into account the best offer for both public finances and passengers, and in which the contracting authority could specify the quality and extent of services procured;

### **3. Considers**

it crucial that contracts in the framework of Public Service Obligation are concluded only after their long-term funding has been secured;

### **4. Warns**

against reckless cancellation of directly awarded contracts that could disrupt regional and national transport services, and therefore recommends ending the validity of these contracts gradually and only after due consultation has been performed with all the stakeholders (transport companies, regional and local authorities, passengers, employees' representatives);

### **5. Suggests**

that the European Commission should focus on establishing a level playing field for all transport companies in the EU by creating a single legal framework for railway transport companies, including single rulebook for unbundling;

### **6. Refers**

to the fact that non-discriminatory access for all competing transport companies is a prerequisite for an effective separation of transport provider and infrastructure manager, so as to prevent preferential treatment of some transport providers over others from the part of infrastructure manager;

### **7. Emphasises**

the necessity to create an efficient railway market regulator and to define the concept of "network character of the railway system", from the perspective of passengers' rights, since the presented proposal for a directive establishing a single European railway area does not include such a definition;

### **8. Supports**

all measures aimed at increasing the safety of railway vehicles, strengthening track safety and removing persisting administrative and technical barriers which raise manufacturers' costs and costs of transport providers, hinder the effective development of the internal market with rail vehicles, and consequently weaken the single railway market in the EU;

### **9. Is of the opinion**

that the Member States should not be deprived of the right to decide on rail vehicle homologation, and therefore does not consider justified the proposed transfer of competence to the European Railway Agency; similarly, the approval of infrastructure, including the safety features, should remain in the exclusive competence of the Member States;

### **10. Agrees**

with further harmonisation in the field of technical interoperability specifications, with development of European Rail Traffic Management System (ERTMS) and with other clarification and simplification of administrative processes and procedures, which are essential for safe railway traffic;

## **III.**

### **1. Requests**

the Government to inform the Senate about the way this position was taken into account and to provide the Senate with further information on the proceeding of negotiations;

**2. Authorises**

the President of the Senate to forward this Resolution to the European Commission.