



THE SENATE  
OF THE PARLIAMENT OF THE CZECH REPUBLIC  
9<sup>TH</sup> TERM

**251<sup>st</sup>**

**RESOLUTION OF THE SENATE**

Delivered on the 11<sup>th</sup> session held on 21<sup>st</sup> June 2013

**on the Fourth Railway Package /Senate Press no. K 023/09, N 024/09, N 025/09, N 026/09, N 027/09, N 028/09, N 029/09/**

**The Senate**

**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.

Milan Štěch  
sign manual  
President of the Senate

Miroslav Škaloud  
sign manual  
Senate Verifier