

**Proposal for a Regulation of the European Parliament and of the Council repealing Council Regulation (EEC) No 1192/69 of the Council on common rules for the normalisation of the accounts of railway undertakings
(COM(2013)26 final)**

**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
(COM(2013)27 final)**

**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
(COM(2013)28 final)**

**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
(COM(2013)29 final)**

**Proposal for a Directive of the European Parliament and of the Council on the interoperability of the rail systems within the European Union (COM(2013)30 final)
Proposal for a Directive of the European Parliament and of the Council on Railway Safety
(COM(2013)31 final)**

**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
(COM(2013)25 final)**

FINAL DOCUMENT APPROVED BY THE COMMITTEE

on 8th October 2014

The Committee on Transport, Post and Telecommunications of Italy’s Chamber of Deputies,

having considered Communication (COM(2013)25), Proposals for Regulation COM(2013)26), (COM(2013)27), (COM(2013)28) and Proposals for Directive (COM(2013)29), (COM(2013)30) and (COM(2013)31),

whereas:

- the set of measures envisaged in the aforementioned documents, which constitutes the so-called fourth rail package, is the result of commendable efforts by the European Commission to update current railway sector legislation in a systematic and coherent manner so as to eliminate barriers to the implementation of a single European railway area;
- the measures refer both to how transport services are delivered, with particular reference to questions of safety and interoperability (the so-called political pillar) and to the configuration of the market and the governance of the railway infrastructure (the so-called technical pillar);
- although the regulatory processes on the two pillars of the European institutions are not perfectly aligned, it is nonetheless to be hoped that the proposals may be approved together as one unified package;
- in furtherance of the above, the Italian government has adopted a particularly constructive stance by using its six-month presidency of the European Union to prioritise a thorough examination of the various problems in the package through a broad-based and open debate;
- the overcoming of barriers and regulatory fragmentation to complete a single European railway area is a necessary preliminary to the development of rail transport in Europe;
- the development of rail transport is essential for achieving balance among the different modes of transport, which will help reduce road traffic congestion and its environmental impact; the modal share of railways in Europe is still too small both in terms of passengers and of goods;
- in recent years there have been huge investments, especially in high-speed services, yet these investments are by themselves not enough to increase the modal share of rail transport, also in view of the expected medium- and long-term rise in demand for freight haulage;
- the creation of a single European railway area through the simplification of rules and procedures and the homogenisation of the systems used in different countries can, without compromising safety standards, can provide more favourable conditions for new investment to upgrade networks and rolling stock;
- with reference to the technical pillar, we are therefore in full agreement with the proposals for the drastic simplification and standardisation of procedures and the reduction of the associated time and costs for businesses by, in particular, expanding the responsibilities of the European Railway Agency (ERA), which is to be assigned the task of issuing safety certificates and authorisations for vehicles;
- with regard to the political pillar, the state of liberalisation of the sector differs greatly from one Member State to the next. Indeed it is no coincidence that the objections raised during the negotiations in Europe came from those countries that are considerably remiss in opening their markets and seem reluctant to accept the end of monopoly control of their networks;
- Italy, being one of the most progressive countries for the opening of its railway sector to competition, can play a leading role in persuading those most strongly opposed to liberalisation and achieve some real results in the process of approval of the package during its six-month Presidency of the Council of the European Union;

declares itself favourable to the Communication as well as the Proposals for Regulation and Directive, and makes the following observations:

- 1) with regard to the technical pillar, the European Railway Agency must work in a spirit of full and effective cooperation with national agencies, particularly those responsible for safety. Accordingly, without prejudice to the objective of preventing the duplication of the compliance and bureaucratic demands made on undertakings, and in consideration also of the presence of a vast number of national safety and technical specifications for interoperability (TSIs) at a European level, national agencies will have to be involved in the preparatory phases rather than only afterwards;
- 2) as regards the political pillar:
 - a) support must be given to the prompt and effective opening of the rail passenger market, in respect of which it seems preferable to stick with the timetable originally put forward by the European Commission, which set 2019 as the date of commencement of the liberalisation of procurement procedures in passenger services through competitive tender, rather than accept the European Parliament's proposal to postpone liberalisation until 2022;
 - b) we concur, however, with the European Parliament's proposal to insert a reciprocity clause to prevent companies with registered office in a Member State that has not liberalised its own market from competing in the markets of other Member States that have. Reciprocity should not be seen as a defensive measure. Rather, it should be seen as a contributing factor to liberalisation and as a way of avoiding the emergence of serious market asymmetries in the single European railway area;
 - c) we support the proposal of the European Parliament to permit the survival of the holding-company model for undertakings operating in the sector, provided that clear-cut rules and constraints are established regarding the transparency of financial relations between those companies that run transportation services and those that manage the railway infrastructure, and provided that full and fair competition for access to the network is guaranteed;
- 3) an appraisal needs to be made of whether the European Commission's power and, especially, its indefinite duration, to adopt delegated acts as currently framed might not be excessive and might therefore need to be limited in scope and duration.