



Brussels, 18th February 2014

To the attention of Mr. Franco FRIGO
Member of the European Parliament
60, rue Wiertz – B-1047 Bruxelles
Bât. Altiero Spinelli - 15G269

By e-mail: franco.friigo@europarl.europa.eu
Copy to the TRAN Committee

URGENT: 4th Railway Package – Upcoming plenary vote

Dear Member of the European Parliament,
Dear Mr. Frigo,

We have been informed that you will be immediately in charge of the mission to collect the necessary number of signatures among your peers to table and pass in plenary the amendments suggested by CER that aim to thoroughly review the letter and spirit of the new Directive on the governance of railway infrastructure.

Allow us to draw your attention to the great danger of these amendments that:

- Go totally against the compromises adopted, with a comfortable majority, by the TRAN Committee on the 17th of December 2013.
- Represent a real setback and annul once again the efforts to reconcile the viewpoints. These amendments are discussed in the attached note.
- Would, once again, strongly delay the European rail reform which is already more than 10 years behind schedule due to the lack of market opening and the obligation to Recast the 1st Railway Package.
- Would continue to strengthen the existing discriminatory situations towards non-incumbent railway undertakings, alternative companies which are demanded by the market.
- Would strongly impede the establishment of independent Infrastructure Managers which are necessary to build the ENIM, the European Network of Infrastructure Managers essential for interoperability and the success of the technical pillar of the 4th Railway Package.

Do you really want to bear this responsibility? We sincerely invite you not to support such proposals.

These proposals reinforce integrated incumbent undertakings that - although permitted by the new provisions - want even more and continue to substitute themselves for Member States. This poses a real problem of democratic legitimacy. Member States and regions define spatial planning policies and those of associated transport modes, not incumbent railway undertakings.

The signatories represent the reality of the competitive market offering customers the choice between various quality services instead of a dominant monopoly situation.

As Member of the European Parliament, we are sure you understand our position!

We also enclose a copy of our two open letters to the Members of the European Parliament dated 11th December and 10th February 2014.

We remain at your disposal for any further details you might want to discuss.

Yours sincerely,



Marc Huybrechts
President, CLECAT



Denis Choumert
President, ESC



François Coart
President, ERFA

Contacts points

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Pierre Tonon, Secretary General, European Rail Freight Association (ERFA), p.t@erfarail.eu

About ESC, CLECAT, ERFA

The European Shippers' Council (the ESC) represents cargo owners i.e. freight transport interests (import and export and intra-continental, by all modes of transport) of some 100,000 companies throughout Europe, whether manufacturers, retailers or wholesalers, which are collectively referred to as "shippers". ESC, based in Brussels, was founded in 1963.

Established in 1958, CLECAT is the leading voice on freight forwarding and logistics in Europe. We represent and are supported by 25 member organisations working to promote a sound approach to transport and logistics across Europe, in support of the competitiveness of our industry.

ERFA (European Rail Freight Association) was set up with the First Railway Package in Brussels in July 2002 to represent the interests of the new independent and private 'open access' rail freight operators. The association comprises 30 members (rail freight operators, wagon keepers, service providers, forwarders as well as 9 national rail freight associations) from 16 countries in wider Europe. ERFA represents more than 900 locomotives and 55.000 freight wagons. ERFA's main objective is to make the rail freight market fit for competition in a fully open market.