# COMMISSION OF THE EUROPEAN COMMUNITIES

COM(80) 752 final

Brussels, 12 décember 1980

COMMUNITY RAILWAY POLICY:
REVIEW AND OUTLOOK FOR THE 1980's

(Communication from the Commission to the Council)

# RAILWAYS POLICY PAPER

## INTRODUCT ION

- 1. The problem of railways in Europe is among the most pressing, complex and challenging issues in transport.
- 2. The financial position of the railways has deteriorated, apart from a few isolated and temporary exceptions, for the last twenty years, despite action at national and Community level. Recent forecasts indicate that with present policies, the share of total traffic carried by the railways will probably continue to fall, even if there is an increase in the volume of traffic carried by rail.
- 3. The Commission is convinced of the need for a soundly based European Railway system, in order to provide for adequate and competitive transport alternatives; to secure, as far as economically justified, transport modes utilizing indigeneous energy sources and so that railways can, in competition, reap the full advantages of the wider market available.
- 4. The Community policy for railways has not been reviewed in the light of changed economic and energy conditions since 1973. It is currently based on the 1965 harmonization Decision which was restated in the Commission memorandum on the Common Transport Policy in October 1973. Since then, neither the objectives nor the emphasis of policy have been altered, despite the considerable changes in economic circumstances. Even the Council Decision of 1975 had its origins in a Commission proposal of 1971. Therefore it is timely to review the Community policy for this sector.

- 5. The existing policy has not succeeded in developing a coherent railway service for the Community. Many political and legal ebstacles must still be overcome if railways operations are to take full advantage of the Community dimension.
- 6. The Commission has examined the situation of railway undertakings and in this paper presents its conclusions for a Community railway policy. The approach recommended builds on the positive elements of existing policy. The objective now should be to make the railways more efficient than they have been, and therefore more attractive to users and to potential users.
- 7. Chapter I briefly describes the recent experience of railways in the Community, concentrating on common trends rather than on particular national variations. It also examines the future outlook for railways in the transport market. Chapter II contains a critical review of Community Railway Policy. Finally, Chapter III presents a Commission work programme on a range of specific actions, with particular emphasis on the Community dimension of Railway Policy.

#### CHAPTER I.

Economic evolution and railway performance: Review and Outlook.

#### Review

- 1. During the two decades from 1960 to 1980, the economy of the Nine prospered and with it the transport sector. The new prosperity was not, however, uniformly experienced. This imbalance of effect was particularly marked in the field of transport. While the transport market as a whole grew substantially, the railways experienced difficulty in retaining even the previous volume of traffic carried, and everywhere suffered a sharp drop in their market share. Neither did the railways profit from the really spectacular growth in intra-Community trade during this period and they suffered from the decline of traditional industries e.g. coal, ores and steel.
- 2. Competition from the other modes is conventionally given as the main explanation of the decline in both absolute tonnage and market share. However, general economic factors also contributed. Growing economic prosperity, for example, led to increased ownership of private cars, to the detriment of public transport. Neither have railways adapted, as quickly as other transport modes to the changing composition and location of industrial production.
- 3. In a declining market productivity is vital. The railways currently employ over one million people. They remain relatively labour intensive, and staff costs account for about 70% of their operating expenses. Productivity has increased over the years particularly in relation to passenger traffic but not sufficiently to offset the difficulties which the industry has encountered.

- 4. Railways have attempted to get to grips with changing patterns of demand and have achieved some improvements in their services especially in inter-city traffic, urban passenger traffic, train-load goods traffic on long distances and types of combined transport. These improvements have led recently to a growing demand by the users. In other fields of railway activity, however, especially in regional passenger services, in long distance international passenger traffic, in national and particularly in international wagon load traffic, the services do not yet meet modern user needs, and are only partially competitive with other modes of transport.
- 5. As is shown by the evolution of the market and the financial results, railways have not succeeded, so far, in adapting their supply structure sufficiently to changing patterns of demand.

The reasons for this may be summarized as follows:

- The structural rigidity of the railways' organization and technique, and the cost structure involved, present obstacles to the provision of commercial services.

  Proposed actions to remedy or replace unremunerative services (particularly regarding regional railway services) have however to a large extent been prevented by political intervention of governments, local authorities and interest groups.
- For some types of services with a higher degree of market potential (i.e. train/wagon load, combined transport) improvement in competitiveness could only be achieved by higher investment, the capital for which has not been available from railways' own resources or because given the large operational grants already provided by the states there is not sufficient capital to go towards new investment, as higher public service grants and other aids compete with investment needs.

- Railways did not take full advantage of the Community dimension particularly because they did not adopt a fully commercial approach and have not cooperated sufficiently with one another.
- In spite of the fact that railways have enjoyed the advantage of state ownerships and substantial deficit coverage by the state, certain conditions of competition, especially in the field of social conditions and infrastructure costs, have worked to the disadvantage railways.
- The efforts by the railways to become more competitive have to a certain degree been overtaken by the development in the field of state and private financed infrastructure investment, especially for roads and pipelines. Whereas road infrastructure, following demand, has during the last two decades been adapted to new traffic flows and has been modernized, the shape of the railway network, apart from the construction of some new urban lines, remains largely the same as in the last century. It is only recently that major new railway links are being constructed in some Member States.
- While frontier delays arise from a number of causes, some external to the railways, there remains great scope for better organization between the railways themselves.

  Outlook
- 6. The economic outlook for the Community is one of slower growth rates and continuing structural change in industrial output. The outlook is also for a continuing high level of inflation and unemployment and for further increases in the cost of energy. Governments will be preoccupied with the balance of payments position and with the general level of public expenditure.
- 7. A small growth in population is forecast but up to the middle of the 1980's potential labour supply will grow at a faster rate. Car ownership in 1985, at 92 million vehicles, is expected to be 21% higher than in 1977.

8. The changing structure in the composition of gross domestic product, its relatively lower future growth rate, the lower rate of growth in personal income, and the changing composition of foreign trade has important consequences for the transport sector.

## Outlook for Railways

- 9. There exists potential increased demand for railway transport both in freight and passengers. Freight transport between Member States is expected to grow faster than the domestic market. (Railways share of the international trade declined from 25% to 18% between 1967 and 1977). Railways remain vulnerable in the changing structure of the freight transport market. To reduce this vulnerability greater emphasis is required on new markets and new techniques, e.g. combined transport, physical distribution. Passenger transport, on the other hand, has shown, for all modes, a greater buoyancy than that of freight tonnage. The increasing cost occasioned by oil price rises, the pressure of disposable income and the greater elasticity for railway passenger transport, suggest that there could be an increase in passenger carryings.
- 10. Even where the railways can benefit from this latent increase in demand, an increase in volume in itself will not solve the major problem of improving the present financial situation.
- 11. Inflation is having an adverse effect on production costs. If the present network and pattern of operations continue, then given the expected rate of inflation, an even stronger increase in state financial intervention will be required than has been the case during the 1970's. Between the period 1973 1977, state financial intervention has increased by more than 60 %.

- 12. The railways therefore may look forward to a growing market, but their potential to realize a greater market share is a function of internal management decisions and government/railway decisions regarding investment and restructuring. The basic objective must be efficiency, both in the production of high quality social and commercial services for users, and in marketing these services.
- 13. A consideration of the technical characteristics of railways (a guided system of transport with potential for automation) and their economic structures (high fixed costs and low variable costs in the short/medium term) suggests that the markets to which they are likely to be best suited in the future are:

### Passenger

- medium distance fast passenger traffic between major centres of population, i.e. inter-city,
- short distance passenger traffic in areas of high density population, i.e. suburban services,
- long haul passenger night services,
- car passenger services.

#### Goods

- train load and wagon group goods traffic mainly from private siding to private siding,
- container traffics in full train loads between distribution points,
- piggy-back traffics combining the relative advantages (long haul/flexibility) of both rail and road techniques.
- 14. The conditions in which these markets can be exploited by railways to the advantage of society in general should be the focus of railway policy makers.

### Energy and Railways

15. It has been argued that the new energy situation will work to the advantage of the railways. Certainly energy costs, irrespective of basic source, are expected to increase in real terms for railways as well as other modes. However, although railways used in relation to high density routes and good loading factors are fairly efficient energy users, this does not have a major impact on costs. Energy for traction accounts only for about 2.% of total railway costs.

It follows that any potential advantage for railways in a period of high energy costs is dependent on the size of the load factors, which in turn will finally be determined by the decision of customers to use a particular mode on the basis of the quality, price and efficiency of services offered.

16. The main energy advantage of railways is that they are at present just about the only transport mode which is not necessarily dependent on oil. Already to a very large extent railways are using electricity and there is still scope for further electrification in certain countries. With increasing oil prices such electrication is becoming strategically important. From the point of view of reduction in oil consumption, rail transport therefore could play a very important role, not only through electrification, but also by absorbing traffic from other more oil intensive modes of transport.

## Social aspects of transport

17. Social transport services arise where the consumers' need for transport is not met on the basis of commercial criteria (as with low density rural transport requirements), or where the external costs and benefits are such that an individual's transport needs can be met at lower costs by encouraging a form of transport operating on criteria other than that of commercial profit (for example, relief of urban congestion). Essentially, the social role

of transport is therefore defined by the presence of a motivation other than the simple transport of persons, or in particular cases, of goods, on a commercial basis. Such motivations includer the provision of basic transport facilities for those who do not have a car available, the relief of road congestion, the encouragement of regional development, the protection of the environment, notably through the prudent handling of dangerous goods, and the safeguarding of employment.

18. The decision to provide a social service is distinct from the choice of the particular transport mode. This choice should be based on criteria of efficiency, in terms both of the operating costs, the wider social costs and benefits, and the competitive provision of services to meet users needs on the market. Furthermore, the decision to request a social or public service obligation implies a responsibility for the economic costs, current and capital, arising from this service, to be borne by the requesting authority.

#### CHAPTER II - COMMUNITY RAILWAY POLICY

- 19. From the beginning the Common Transport Policy has aimed at integrating railways into a community system of land-based transport in which each mode of transport should enjoy equal treatment and gradually benefit from the wider European dimension.
  - 20. Differences in structural patterns between modes of transport (many private-owned small companies in road and inland waterways in contrast to the large state-owned national railway undertakings) had to be taken into account when formulating policy instruments.

In order to use resources efficiently the Commission has made proposals for a transport market government by the rules of fair competition between the different modes and undertakings. In such a system the role of public authorities is limited to laying down a framework for fair competition and coordinating infrastructure development. Railways with their long history of state intervention could not readily participate on an equal footing in such a system unless distortions stemming from prior state intervention were removed or financially neutralized. It was to this end that railway policy was developed under the 1965 Council Decision and subsequent measures, in particular the 1975 Council Decision.

- 21. Community railway policy has two basic objectives:
- elimination of distortions in the inland transport market
- improvement of the railway service performance and financial situation.

The basic principles upon which Community legislation has been built to attain these objectives are:

- reduction of public service obligations,
- compulsory normalization of accounts (financial neutralization of inherent burdens),
- reduction of aids,
- greater transparency of state interventions and railway accounts.
- autonomy of railway undertakings and clear delimitation of state responsibilities,
- commercial management of railway undertakings,
- improved business and financial planning,
- closer cooperation on possible forms of integration of railway activities,
- harmonization of infrastructure costing,
- approximation of social conditions.
- 22. Community instruments to implement these principles were often adopted in such a manner as to reduce the effect originally intended. This subsequently permitted Member States wide scope in their interpretation and application resulting in, for example, maintenance and compensation of public service obligations, optional normalization of accounts, continuance of aids in absence of Community legislation for harmonized infrastructure costing, economic management (cost coverage) rather than commercial management (profit), limited autonomy rather than full autonomy, business and financial programmes without specifying their nature and laying down time limits for preparation.
- 23. In practice, Member States have chosen to avail of the exceptions allowed rather than be guided by the main purpose and spirit, in their application of the legislation to the railways.

The basic principles have been applied only partially and in limited areas. In practice few public service obligations have been terminated; none of the causes of financial burdens requiring normalization of account has been removed; aid payments have increased; railways structures remain largely unchanged; non-commercial pricing is still widespread; little progress has been achieved on cooperation; no progress at all has been made towards integration, while financial balance is, for most railway undertakings, still a distant objective.

Some progress can however be claimed for improved transparency of state interventions and railway accounts.

- 24. Member States, by pursuing the less rigorous line, have substantially maintained their railways size and structure but only by increased state support for their operations. Investment monies, required for restructuring and adaptation of railway services to current market and socio-economic requirements, have consequently not been readily available.
- 25. To date the full impact of the 1975 Decision has not been realized. The Commission believes that there are two main factors which have so far impeded the full attainment of its objectives and impact:
- the status quo has been strongly defended by the interest groups concerned,
- there has been inadequate collaboration between Member States, railway undertakings and Community bodies.

## CHAPTER III - COMMISSION WORK PROGRAMME

- 26. To escape from the vicious cycle of slow growth in revenue, faster growth in rate of expenditure, and ever faster growth in state intervention without preventing further decline in railway transport activities, a more coherent and integrated policy is necessary.
- 27. The Commission work programme envisages action on two broad fronts:
- development and full application of existing Community legislation, particularly the Council Decision of 20 May, 1975:
- a series of new measures to improve the railways situation going beyond existing provisions.
- 28. The realization of such a policy will require a coordinated approach at Community level and determination to implement the necessary actions. The largest share of the responsibility will undoubtedly fall to the Member States and the railways themselves, and the Community does not dispose of miracle solutions.

  Nevertheless, the Community institutions have an important part to play, particularly in devising a general framework and in those policy areas which transcend national networks.
- 29. The Commission believes that current legislative measures, while providing a useful framework to build on, are insufficient in themselves to solve all the railways' problems. The Commission calls, nevertheless, for a fuller application of these principles. For this purpose the Council should enact the proposals which are before it 8) and the Commission will make proposals to cure the defects of the existing legislation and further develop the principles underlying it.

# State/Railway relationships

- 30. The first key area in which greater precision is to be sought is railway/government relationships. Policy pursued to date, particularly the 1975 Council Decision, has gone some way to clarifying the respective roles of undertakings and governments, but much remains to be done. New initiatives and actions should be taken to distinguish clearly between the State's functions as public authority, and owner of the railways with a view to ensuring that railway managements are left the maximum autonomy possible to execute their functions.
- 31. A particular aspect of this distinction relates to the agreement of targets between railways and governments as instruments to secure clear mandates and well defined responsibilities. Such targets should include limits on state financial intervention, agreed ratios of self generated revenue to expenditure in the different activity sectors, clear investment goals and improved financial control.
- 32. The attainment of railway restructuring and management by commercial norms and practices would also be greatly assisted by improved business, financial and investment planning. Provision for improved planning is made in the 1975 Council Decision but it lacks precision and clarity. The need is for multi-annual activity plans, with complementary financial and investment programmes to ensure continuity of action. These plans should commit resources to adapt railway structures (financial and level of activities) to current needs with clear, precise and definitive targets to be attained.

Of necessity, given the dependence of railway undertakings on Government funds, the full benefits of improved planning can and will be realized only through joint acceptance of the plans and mutual respect for their different competences.

33. In this connection and in compliance with Article 15 (1) of the Council Decision of 1975, the Commission will make a proposal to the Council for a regulation setting a time limit and the conditions for the achievement of financial balance of railway undertakings, through better business and financial planning.

## Public Service Role

- Railway operations are characterized by a large public 34. service sector heavily dependent on Government finance and declining commercial viability of the remaining services. A more precise definition of the public service role and the commercial sector of railway activities is a prerequisite the financial situation to improve both performance and of the railways. The exact nature of this role, and the suitability of railways to fulfil it, should be critically evaluated. The quantitative and qualitative criteria should be more rigorously assessed to ascertain the true value and cost effectiveness of railways as a desirable instrument to meet socio-economic needs. Equally, in so far as they fulfil a social role, the railways must meet genuine and assigned social needs and must not use this role to justify losses or exemption from normal efficiency requirements in marketing or production.
- 35. The Commission will therefore, under Article 15 (2) of the 1975 Decision, make a proposal to the Council defining criteria for establishment of public service obligations involving least cost to the general public (taxpayer).
- 36. In the medium term the Commission will make a proposal to revise the regulation on public service obligation. The objective of such a revision should permit:
- stricter financial management of this role, e.g. introduction of ceilings, targets to be attained, and wider use of contractual arrangements

- greater transparency of interventions;
- full acceptance by public authorities of financial responsibility, including capital costs, for service provided:
- improved financial control of railway undertakings.

### Capital Structure

- 37. Railways should be provided with capital structures which reflect their current levels of activity and their ability to generate revenues and service their liabilities. Inherited burdens of past debts and current distortions in management objectives should be fully removed. New railway financial structures should ensure adequate investment funds to modernize the networks equipment and rolling stock where economically justified. These funds should form part of an agreed investment and financial programme over time and thus avoid the stop/go experience of past years. The possibilities to be examined include combined transport with participation of other modes or forwarding agents, from which would flow inputs of private capital, thereby easing demands on the State.
- 38. Action will be undertaken to provide for clearer and more precise measures and methods for financially restructuring the railways; a capital structure which more truly reflects current and foreseeable levels of activities is a prerequisite for any financial improvement of railway undertakings.
- 39. There are areas where Community institutions are particularly well placed to play an important primary and initiative role. In this connection the Commission will seek more active progress in respect of:
- cooperation between the railway undertakings themselves and cooperation between Governments in railway matters;
- coordination of infrastructure planning and financing,
- promotion of multimodal transport operations (combined transport).

Each of these areas for action is referred to separately below.

#### Infrastructure

40. The railway network between Member States needs improvement if future qualitative and quantative traffic needs are to be met. The Community needs a coherent network for traffics for which railway techniques are particularly suited. To ensure the best results, development of the network should be realized progressively within the framework of a long term plan.

To ensure a coherent pattern of communication links between major centres of the Community, Community bodies have a significant role to play in planning the network, identifying and choosing priority projects and providing financial assistance for their development.

In its Memorandum of November 1979 on the role of the Community in developing transport infrastructure the Commission elaborated its views on this matter. The recent report on transport "Bottleneck and Possible Modes of Finance" 10) highlights the immediate investment needs. The Commission believes that improved consultation could help decide on railway projects of Community interest.

- 41. Studies should be made into the possibility of separating responsibilities for infrastructure provision and maintenance on one hand and operation on the other. The Commission acknowledges the complexities of the problem which has already been studied in several Member States, but still believes that practical solutions could be found, which could clarify the respective roles of the State as manager of transport infrastructure and the railways as an operator. Further, such an approach would assist development of a coherent and coordinated transport infrastructure policy.
- 42. In pursuit of a coherent infrastructure policy to create equal conditions of competition, a common system of tariffs for the utilization of infrastructure should be introduced. Until such a system is completely implemented the Commission intends to develop compensation criteria for existing inequalities:

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these will be embraced in the forthcoming proposals for attainment of the financial balance of railways. Building on these criteria the Commission will, at a later stage, lay down principles for costing railway infrastructure and, if the notion of separation is realized, a system of tariffs for use of infrastructure.

## Cooperation

- 43. Railway cooperation is an essential element in the creation of a genuine European transport system. Exploitation of the wider European markets offered by closer economic integration of the Community should be priority objective of all policy makers. Twenty years after the foundation of the Community, the extent of railway cooperation is still limited.
- 44. The Commission is concerned that the reinforcement of cooperation should provide for
- improvement of the quality of passenger and goods services, particularly in relation to speed, regularity, comfort, safe transport of goods, price, information, customer services;
- improvement of exchange of information between railways.
- 45. Proposals will be made in the medium term for the removal of obstacles (political, legal and technical) to improved cooperation. The Commission believes that current programmes of commercial, operational and technical cooperation should be reviewed, revising targets and time scales so as to attain concrete results as soon as possible.
- 46. The Commission for its part will make a proposal for a framework with specific targets embracing the following key areas:

- delays at frontier crossing points (legal, administrative and operational);
- commercial practices and norms, for both passenger and freight traffic, including the setting up of joint marketing services;
- establishment of reliable and mutually acceptable costing principles;
- establishment of standardized procedures and reciprocal guarantees for the sharing of revenues from traffics and transports whose short term benefits would not be mutually advantageous;
- joint research into development of new technologies and techniques, especially the use of computer-based systems;
- coordinated investment and purchasing policies for equipment (electrification and computer guided systems) and rolling stock.

The full exploitation of the opportunities offered by the wider European market will in some cases require the partial integration of railway activities.

#### Combined Transport

47. In addition to such advantages as reduction of road congestion, protection of the environment, and energy saving, combined transport offers the possibility of assuring a contribution to the improvement to the situation of the railways.

In fact, combined rail/road transport provides the answer to certain problems arising from changing demand patterns (reduction of bulk transport) and the need for railways to concentrate, more than in the past, on semi-finished and high value commodities, which are increasingly transported in containers.

Combined transport also offers the possibility of reducing transhipment costs and guarantees regular long distance services at commercially competitive speeds thereby overcoming the traditional railway handicap.

Finally, the increase of piggyback and container services is likely to recapture for the railways traffic which has been lost to road hamlage. Public authorities should take efficient and economically sound measures to ensure that the obstacles to development of combined transport are removed.

48. Under these conditions the promotion of combined transport services as a specific transport mode is also important within the framework of the Common Transport Policy. To this end, the Commission will present proposals to the Council concerning, among other measures, the provision of incentives which will facilitate an increase in the railways share of these special markets.

#### SUMMARY AND CONCLUSION

49. General framework of railway policy remains a field in which a positive Community action is needed. The 1975

Decision remains a basis for that framework and the Commission calls for the full implementation of the principles underlying that Decision. Furthermore it intends to make proposals

#### in the short term

- under Article 15 (1) and (2) of the 1975 Decision on setting the time-limit and conditions for the achievement of financial balance as well as the criteria for determination of the obligations inherent in the concept of a public service,
- to develop combined transport,
- to fix principles for costing railway infrastructure, and

## in a second stage

- general revision of community legislation on State intervention,
- common research programme,
- elimination of obstacles to closer cooperation and integration.
- 50. Consideration should be given to extending the availability of finance from existing Community funds and sources.

Although each project would have to be examined on its own merits, the Commission believes that there are a certain number of actions where financial help could be envisaged. This is particularly so for infrastructure, cooperation (or integration), combined transport and research.

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- 51. There are other measures proposed for which Community legislation would not be the only appropriate instrument. These measures are essentially the responsibility of the Member States or the railways themselves, but the Commission could act as a forum for the interchange of ideas and undertake studies at Community level to find common solutions for common problems. A study on the commercial restructuration of railways is at present under way and other studies will be undertaken as required. The Commission believes that the objectives to be followed are:
- concentration of railway activities on markets which can be served profitably or are potentially profitable,
- railways should be "all round" (i.e. not rail bound) transport enterprise and forwarding agency,
- greater management autonomy.
- 52. Implementation of this programme will require collaboration and permanent dialogue between Community institutions, Member States and railway undertakings. The Commission is ready for the challenge and looks forward to working with all interested parties in this sector.

- 1) OJ 88, p. 1500/65 of 24.5.1965
- 2) EC Bulletin suppl. 16/73
- 3) OJ L 152, p. 3, of 12.6.1975 (Decision EEC/327/75)
- 4) OJ C/06, p. 42, of 23.10.1971
- 5) OJ L 156, p. 1, of 28.6.1969 (EEC Regulation no 1191/69)
- 6) " ", p. 8, " (EEC Regulation no 1192/69)
- 7) OJ L 130, p. 1, of 15.6.1970 (EEC Regulation no 1107/70)
- 8)-Doc. 1128/80 TRANS 191 of 25.11.1980 (Council decision on pricing for international goods trafic by rail)
  - -OJ C 307, p. 1, of 21.12.1977 (prop. to amend EEC Regulation nº 1191/69)
  - -Doc. COM(72)1516 final of 7.12.1972 (prop. to amend EEC Regulation no 1192/69)
- 9) EC Bulletin Suppl. 8/79
- 10) Doc. COM(80)323 final of 20.6.1980
- 11) proposal to amend Regulation EEC no 1107/70 in view to complement the granting of aids in the field of transport by rail, road and inland waterways by provisions for combined transport.

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