

Statement of Infrastructure Managers (IM) and Allocation Bodies (AB)* in PRIME on effective implementation of the proposed Rail Capacity Regulation

Introduction

The Platform of Rail Infrastructure Managers in Europe (PRIME) was established 2013 in line with Directive 2012/34/EU establishing a Single European Rail Area. The platform has worked on a number of tasks, in particular, on benchmarking as well as coordination on charging and capacity allocation for cross-border services. PRIME also acts as a platform of dialogue between Commission and European IMs on a range of strategic topics.

On 11 July 2023, the Commission presented its proposal for a Regulation on the use of railway infrastructure capacity.¹ The proposal is currently considered by the EU legislators, European Parliament and Council. Once adopted by the EU legislators, the Regulation is expected to provide the legal framework that will make it possible to manage the capacity and traffic of the railway infrastructure more efficiently, thereby improving the quality of services and being able to accommodate more traffic on Europe's railway network for applicants and society. The proposal aims to result in better coordinated rail services across the EU and is a key action of the European Green Deal and the Sustainable and Smart Mobility Strategy.

To guarantee the high level of coordination needed for seamless operations and efficient use of the network, rail traffic and capacity must be effectively managed by IMs. Today, this is mostly done at the level of national networks. At the same time, cross-border rail services require better coordination across networks than is often the case today. To this end, the proposal set out coordination-mechanisms including in particular the European Network of Infrastructure Managers (ENIM), the Network Coordinator (NC) and Focal Points of the European IMs and stakeholders involved in cross-border train services.

The proposed Regulation both requires and empowers the IMs to develop and implement European solutions regarding Capacity Management, Traffic Management and Performance Review on a European and national level, with special chapters dedicated to each of these functions.

In anticipation of the adoption and subsequent implementation of the new Regulation, it is crucial for the sector to prepare for the upcoming challenges in the interests of its customers. This preparation entails a transition from annual, manual and national processes to flexible, digital and European processes. For this reason, PRIME started a task force in January 2024 to define and prepare the mechanisms for coordinated IM decisions regarding European frameworks for Capacity Management, Traffic Management as well as Performance Review and other harmonised processes/deliverables required by the Regulation. In addition, the task force analysed how to provide the necessary resources for a timely, harmonised and coordinated implementation of the Regulation.

¹ COM (2023) 443 final

* to make the document easier to read, if IMs are mentioned ABs are always included
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IMs collaborate and jointly support an effective implementation of the Capacity Regulation

- The IMs aim to set up their European decision-making body to take responsibility for all the tasks assigned to it in the draft Regulation. The IMs commit to make the utmost efforts to adhere to the guidelines, frameworks etc. developed by this body, while retaining responsibility for their operational decisions.
- The IMs retain ultimate responsibility for the performance of capacity and traffic management on an individual level. At the same time, the IMs are collectively responsible for establishing the coordination mechanisms necessary to ensure harmonized European framework conditions and to coordinate planning, allocation and operational processes, including notably the ENIM, the NC and Focal Points appointed by IMs. Therefore, the IMs will provide the resources necessary to fulfil the obligations stemming from the future Regulation in an efficient way. The IMs will strive to implement the frameworks established under the future Regulation to fully benefit from a more harmonized system. However, the framework will provide the necessary flexibility to take into account geographical, technological, utilization, and other specificities of individual networks. ENIM, NC and Focal Points will be as lean and efficient as possible, avoiding duplication of structures and unnecessary administrative burden, also for the non-IM stakeholders concerned, whilst at the same time being easily accessible for them.
- The decisions on the issues related to the Regulation within ENIM will be done following 2/3 voting procedure and based on the principle that all IMs and ABs from a given Member State together have one common vote.

In 2025, the IMs will continue to prepare themselves to establish the coordination mechanisms according to the new Regulation:

The proposed Regulation sets out structures for coordination amongst European IMs and stakeholders involved in cross-border train services, including in particular the ENIM, NC and Focal Points.

Building on the results of the taskforce in 2024, notably on the basic structure of ENIM/NC relations and ENIM plenary design, future membership of ENIM, and consultation of applicants and other stakeholders, in 2025 the “Transition Taskforce Capacity” shall further work on:

- Developing relationships with the European Coordinators under the TEN-T Regulation, the European Network of Rail Regulatory Bodies (ENRRB), and other bodies required by Capacity Regulation.

- Further elaboration of Focal Points, geographically focused structures, supporting the coordination between IMs in planning, allocation, and operational processes and for the consultation of applicants and other operational stakeholders and development of an efficient transition from the current, RFC-based coordination.
- Refining proposals for ENIM rules of procedure based on the structure developed in 2024 with a view to add missing elements such as the implementation of the 'one Member State – one vote' principle for Member States with more than one IM and allocation body.
- Developing a roadmap for the practical establishment of ENIM
- IMs will align the coordination mechanisms with the Regulation on rail capacity management once adopted by the legislators.

IMs are preparing to appoint RailNetEurope (RNE) as the Network-Coordinator. This is based on the fact that IMs have been cooperating since 2004 in RNE to define common processes for Capacity, Traffic and Performance Management, and to develop and operate international IT systems supporting these processes. RNE is set up as an association with 38 members covering most of Europe. The IMs in RNE agreed in the RNE General Assembly in December 2023 on projects to prepare the entity for the expected designation as Network Coordinator, including the supporting function to ENIM.

By continuing their preparatory work, the IMs are taking the right steps to further increase the attractiveness, competitiveness, and reliability of the railway system for their customers and society and to improve the mobility of people and goods across Europe!