

PRIME Meeting no 14

13 June 2019, Bern, CH

Annex to item 7 Information points: Update on the Evaluation of the Rail Freight Corridors Regulation

From: EC

– For Information –

1. PURPOSE OF THE EVALUATION

Evaluations are key to the Commission's evidence-based policy-making, transparency and accountability. Their goal is to identify the causal effects of an EU intervention by applying five evaluation criteria, defined in the better regulation guidelines: (i) relevance; (ii) effectiveness; (iii) efficiency; (iv) coherence; and (v) EU added value of the intervention.

In 2016, the Commission launched a first evaluation attempt of Regulation (EU) No 913/2010, with a 12-week long open public consultation¹, but postponed it in the end since the Rail Freight Corridors had only recently become operational. Instead, the Commission produced a report on the application of the Regulation² and used the consultation results in the Commission staff working document accompanying the report³. Depending on the results of the evaluation, the Commission will consider its future course of action, which could include a legislative proposal or non-legislative initiatives. As usual, any potential new legislation would require adoption by the European Parliament and the Council.

2. PROCESS AND TIMELINE

The evaluation can be divided into five steps, with the following indicative timeline:

- 1) Roadmap consultation (28 February – 28 March 2019; closed);
- 2) Open public consultation, targeted to the general public (Q2 2019);
- 3) Evaluation study, carried out by an independent contractor, which will include a more targeted, in-depth consultation of stakeholders (Q2 2019 – Q1 2020);
- 4) Evaluation report in the form of a Staff Working Document (Q2 2020).
- 5) Presentation to the European Parliament and the Council.

¹ <https://ec.europa.eu/transport/sites/transport/files/2016-european-rail-network-for-competitive-freight-opc-report.pdf>

² COM(2018) 189 of 16 April 2018

³ SWD(2018) 101 final of 16 April 2018

3. THE EVALUATION STUDY

The evaluation study will be carried out by an independent contractor and it will provide the Commission with a robust evidence-based analysis of the effects of the Regulation. It will rely on both quantitative and qualitative analysis and use a wide variety of sources.

The work on the evaluation study can be divided into four key phases:

- 1) **Study design (Q2 2019)**, whereby the contractor will fine-tune the evaluation process by updating the evaluation sub-questions and carrying out exploratory interviews, among others;
- 2) **Evidence collection (Q3-Q4 2019)**, whereby the contractor will perform both desk research (analysis of existing documents and statistics) and field research (targeted survey questionnaires, targeted interviews, participation in expert group meetings, analysis of the open public consultation results, etc.). Quantitative datasets and indicators will also be prepared during this phase. The contractor will also contribute to the Commission's qualitative analysis of the implementation of the Regulation;
- 3) **Evidence analysis (Q3 2019 – Q1 2020)**, which will include an estimation of costs and benefits of the Regulation as well as case studies focusing on specific issues (e.g. provision of capacity, coordination of infrastructure works, overall facilitation effect for railway undertakings, etc.);
- 4) **Synthesis (Q1 2020)**, with conclusions and recommendations for follow-up.

The evaluation study will cover all actors involved in the governance structure of the Rail Freight Corridors: public authorities responsible for rail transport (ministries, regulatory bodies, national safety authorities, etc.); infrastructure managers and allocation bodies; operators of international rail freight services (railway undertakings and applicants), and terminal owners and operators. Other stakeholders such as end-customers, residents affected by rail freight, NGOs, civil society or researchers will also be involved.

The Rail Freight Corridors will play an important role in the evaluation study, since they will need to provide data and documents (e.g. transport market studies), participate in interviews with the contractor and in the case studies, or support cooperation with experts in individual infrastructure managers. They will also contribute to the validation of the evaluation results, for instance via the SERAC Working Group on Rail Freight Corridors.

4. THE ROLE OF INFRASTRUCTURE MANAGERS

Infrastructure managers will play a key role for the quality of the evaluation study and for the proper evaluation. They should participate actively, using all possible means, but especially by contributing to the evaluation study. In the terms of reference for the study, the Commission requested a number of in-depth case studies. Getting meaningful results will require committed involvement from infrastructure managers. Infrastructure managers will also need to cooperate in the analysis of almost every aspect of the evaluation and in addition to their opinion, it would be very beneficial, if they can also provide evidence and especially data to the contractor.

5. NEXT STEPS

Currently the Commission staff is studying the offers of several consultancies, who have expressed interest in carrying out the study with the purpose of awarding the contract.

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