

H.E. Mr Antti Satuli

Ambassador

Permanent Representative of Finland to the European Union

rue de Trèves, 100

B-1040 Bruxelles

DFH/DC/mfl/9/1

6 December 1999

Dear Ambassador,

re: "Transport" Council on 9 and 10 December 1999 - Railway package

UNICE has on many occasions drawn attention to the need to make substantial improvements to the accessibility of companies, markets and customers, inter alia through a much more competitive offer of rail services in terms of price and quality, and a much wider offer in terms of capacities.

In this context, the slowness which has hitherto characterised the process of reforming the rail sector is a subject of great concern to European companies.

Thus, UNICE welcomes the fact that the Finnish Presidency managed to relaunch this process at the 6 October 1999 "Transport" Council. With reference to the orientations defined at that Council, UNICE welcomes in particular:

- the agreement to define a Transeuropean Rail Freight Network (TERFN) as an annex to the Directives on the infrastructure package, which should include all relevant freight lines as well as access to major terminals and ports,
- the fact that all licensed Community railway undertakings for international freight services would have access to the TERFN. UNICE stresses that licensed undertakings must be able to gain access to the TERFN, whatever their mode of operation, public or private, and without this access being subject to narrow reciprocity bargains between states which could completely nullify this opening to competition,
- that the Council wants to ensure that functions governing access are carried out in compliance with the Treaty ("non-discriminatory and transparent use of rail infrastructure").

UNICE stresses that introduction of extended access rights to the TERFN - which is only a partial liberalisation exercise - can only be regarded as an initial step in what needs to be a far more ambitious liberalisation process. With that in mind, UNICE calls for a clear and ambitious liberalisation timetable to be put in place urgently at EU level, with strict deadlines, as has been the case in the telecoms sector.

UNICE is examining the amended proposals which the Commission presented on 25 November 1999 concerning the railway package (see press release 18/99/899). UNICE believes it very important to have a very wide definition of applicants who are eligible to apply for rail path allocation. Member States should be authorised to consider as applicants other actors than railway undertakings (e.g. shippers, freight forwarders, combined transport operators).

UNICE urges Member States to make every effort to ensure that real progress can be made in the above-mentioned directions on 9 December 1999.

I would be very grateful if you would arrange for this message to be passed on to your Transport Minister and to your experts in charge of negotiating the railway package.

Thank you in advance.

Yours sincerely,

Dirk F. Hudig
Secretary General