



NEA Transport research and training



UNIVERSITY OF
OXFORD
Transport Studies Unit

ERAIL MONOGRAPH

FRANCE

Submitted to:

European Commission, DG Transport and Energy

Submitted by:

NEA Transport research and training, the Netherlands

OGM, Belgium

University of Oxford, Transport Studies Unit, United Kingdom

TINA Vienna, Austria

Erasmus University Rotterdam, the Netherlands

TIS.pt, Portugal

Status:

Version 6

Rijswijk, The Netherlands, June 2005



CONTENTS

	<u>page</u>
1	ORGANISATIONS INVOLVED IN CARRYING OUT PUBLIC TASKS .. 5
1.1	Current Organizations5
1.1.1	Réseau Ferré de France - RFF.....5
1.1.2	Société Nationale des Chemins de Fer Français - SNCF7
1.1.3	Ministry of Transport9
1.1.4	Mission de Contrôle des activités ferroviaires11
1.2	Authorities required by the 2 nd Railway Package.....12
2	ORGANISATION OF PUBLIC TASKS 13
2.1	SEPARATION, LICENSING AND CHARGING 13
2.1.1	Investigation of accidents (2001/12).....13
2.1.2	Safety certification of rolling stock and railway undertakings (2001/12).....14
2.1.3	Licensing of railway undertakings (2001/13)16
2.1.4	Track access (2001/12)17
2.1.5	Developing the capacity allocation framework (2001/14).....19
2.1.6	Publishing of capacity allocation framework (2001/14)20
2.1.7	Setting of infrastructure charges (2001/14).....21
2.1.8	Collection of infrastructure charges (2001/14)22
2.1.9	Publishing of charging framework (2001/14)23
2.1.10	Appeal to decisions related to charging and capacity allocation (2001/14).....23
2.2	Interoperability and safety.....24
2.2.1	Drawing up Technical Specifications for Interoperability (TSIs) (96/48 and 2001/16, art. 5)25
2.2.2	Appointing of Member State representative in the Advisory Committee (96/48 and 2001/16, art 21).....25
2.2.3	Regulation of interoperability (96/48 and 2001/16, art 8 and 20).....25
2.2.4	Authorisation of (sub)systems (96/48 and 2001/16, art 14).....25
2.2.5	Control on (sub/system) operation and maintenance in accordance with regulations (96/48 and 2001/16, art 14)25
2.2.6	Approval of Notified Bodies (96/48 and 2001/16, art. 20) please indicate which are the approved Notified Bodies and their relevant tasks25
2.2.7	Assessment/control of Notified Bodies (96/48 and 2001/16, art. 20)26
2.2.8	Assessment of conformity and/or suitability of (sub)systems for use (96/48 and 2001/16, art 13).....26
2.3	State aid, competition and public service obligations26
2.3.1	Monitoring of competition (1017/68, 2001/12 and 01/2003).....27
2.3.2	Enforcing of competition (01/2003).....28
2.3.3	Complaint handling related to competition (01/2003)28
2.3.4	Evaluation of annual PSO claims (1191/69)28
2.4	Statistics32
2.4.1	Collection of financial data from railway undertakings (1192/69).....32
2.4.2	Collection of financial data from infrastructure managers (1108/70).....32

2.4.3	National contribution to Community statistics on rail transport to Eurostat (91/2003).....	33
3	TRAIN OPERATING COMPANIES.....	35
3.1	List of train operating companies.....	35
3.2	Safety license	35
3.3	Market shares/transport volumes	35
4	NGO'S	37
4.1	Industry associations	37
4.2	User groups	37
4.3	Trade unions.....	38
4.4	Environmental groups	39
4.5	Other.....	40
5	FURTHER FACTS AND STATISTICS.....	41
5.1	Complaint statistics and information.....	41
5.2	Railway accident statistics	41
6	GRAPHICAL OVERVIEW	43

1 ORGANISATIONS INVOLVED IN CARRYING OUT PUBLIC TASKS

Public tasks are distinguished according to the following clusters of activities:

- Separation, licensing and charging
- Interoperability and safety
- State aid, competition and public service obligations
- Statistics

The following organisations are involved in one or more of these clusters of activities:

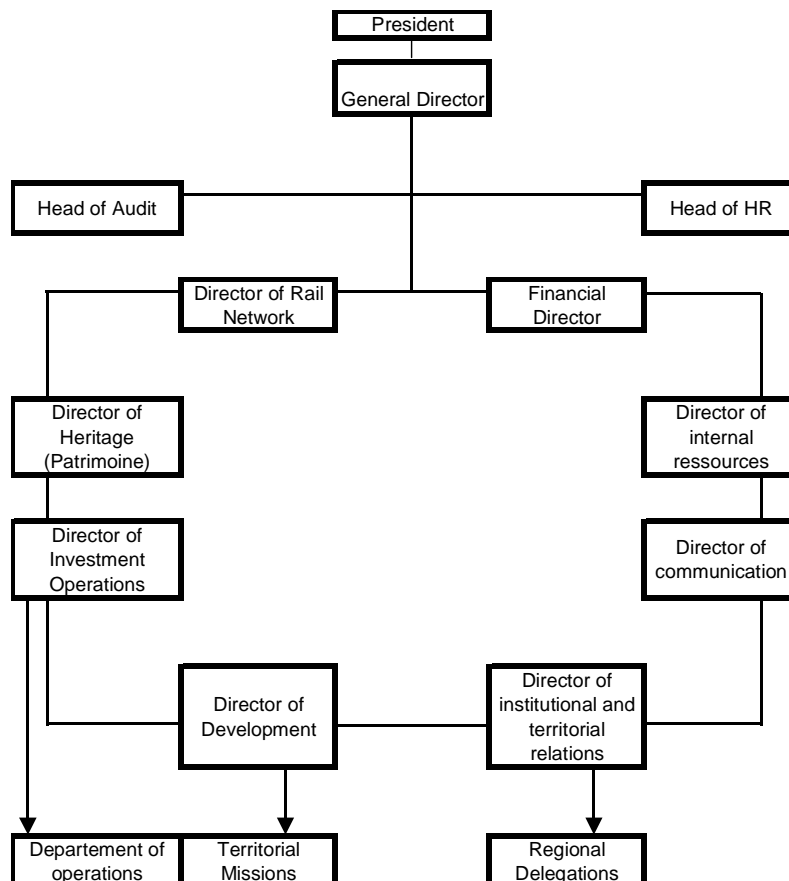
- RFF: Infrastructure Manager
- SNCF: operator
- Ministry of Transport
- Mission de Contrôle des activités ferroviaires (Mission of Railway Activity Control)

1.1 Current Organizations

1.1.1 Réseau Ferré de France - RFF

Infrastructure Manager

Organisation chart



Income and expenses

Profit&loss account (in €M)	2002	2003
EBITA	690.6	694.0
Operating loss	-180.5	-221.8
Net financial expense	-1,484.3	-1,270.3
Net non-recurring income	78.1	70.3
Net loss	-1,586.7	-1,421.8

(in EUR, million)		2001	2002	2003	2004
INCOME	a. Income from Infrastructure access charges	1691	1824.3	1843.6	
	b. Subsidy from the State	1609+264*	1406**	1385.1**	800***
	c. Total Operating income	3766	4021.3	4598.1	
Total Operating EXPENSES	Total	3847	4201.7	4819.9	
RESULT	Total	-1646.5	-1586.5	-1421.8	-626.3

*€264 million came from Central and regional authorities, while €1609 million from the state

**State contribution to infrastructure costs

*** state contribution to reducing the debt

Number of employees

~530¹

Legal constitution

Etablissement Public Industriel et Commercial (EPIC), created by the law no. 97 – 135 of 13 February 1997 : a state organisation whose accounting rules and management methods are similar to industrial and commercial enterprises.

RFF is a state owned company but with regard to management, administration and internal control over administrative, economic and accounting matters it has an independent status and follows rules similar to a private company. It has profit and loss accounts for its business relating to the management of railway infrastructure. Accounts are published annually.

Owner and manager of the French railway network with the objective to maintain, develop, and ensure coherence of the national railway network.

Clients

Currently SNCF, Europort 2 (Eurotunnel Fret, EF) and CFTA Cargo hold licenses for utilisation of infrastructure to RFF.

¹ Source: RFF Annual Report 2003.

Contact details for clients

RFF

92 avenue de France, 75648 Paris cedex 13

+ 33 (0)1 53 94 30 00

+ 33 (0)1 53 94 38 00

www.rff.fr

Autonomy of organisation

Allocation of infrastructure

RFF examines the demands and asks SNCF to perform all technical studies relative to the execution of the demands.

In case of saturation of tracks, RFF applies priority rules as defined by the Ministry in a 'Décret'.

If it is impossible to come to an agreement, the RFF declares the respective infrastructure saturated and informs the Ministry. It issues a report to the Ministry on the reasons for saturation and proposes measures to remedy the insufficiency of capacity. Within 6 month it has to provide to the Ministry a plan for increasing capacity for approval by the Ministry.

Charging

The Ministry of Transport fixes the structure and the amount of charging elements in 'arrêtés' on proposal of RFF.

1.1.2 Société Nationale des Chemins de Fer Français - SNCF

Organisation chart

There are three main departments: passenger, freight and infrastructure.

Income and expenses

RESULT BY BRANCH	2002 In Euro Million	2003 In Euro Million
Passenger Transport		
Revenues		
Long distance	5,224	5,166
Public transport	5,640	6,136
Income before interest, depreciation and tax		
Long distance	587	645
Public transport	622	693
Operating income		
Long distance	237	257
Public transport	213	237

Freight		
Revenues	6,345	6,287
Income before interest, depreciation and tax	-87	-67
Operating income	-361	-429
Infrastructure, assets and know-how		
Revenues	4,967	4,934
Income before interest, depreciation and tax	281	292
Operating income	94	85

Source: SNCF Annual Report 2003

Number of employees

At the end of 2003 SNCF had an average workforce of around 220.000 employees, of which around 181 000 directly employed by SNCF².

Legal constitution

Établissement Public Industriel et Commercial (EPIC), created by the law no. 97 – 135 of 13 February 1997 : a state organisation whose accounting rules and management methods are similar to industrial and commercial enterprises.

Clients

RFF, Ministry of Transport, Mission de Contrôle des activités ferroviaires

Contact details for clients

Division Information et Relation Client

209/211 rue de Bercy - 75585 Paris

ter@sncf.fr

<http://www.sncf.com/>

Autonomy of organisation

In the framework of the liberalisation of the railway market, SNCF has some important roles to play. In particular it

- Establishes a technical report with regard to safety certificates. This technical report is the base of the opinion that RFF transmits to the Ministry of Transport;
- It equally realises on behalf of RFF all technical studies that are necessary to examine requests for capacity addressed to RFF;
- It furthermore delivers a part of the services necessary to exercise access rights.
- It is required that SNCF establishes an independent service that carries out the technical studies.

² SNCF Annual report 2003.

Generally, SNCF has to establish a distinctive balance sheet describing the assets and liabilities relative to the provision of rail freight services.

In SNCF, seven of the 18 board positions are taken up by government officials, six are elected by SNCF employees, and the remainder is different stakeholder representatives.

1.1.3 Ministry of Transport

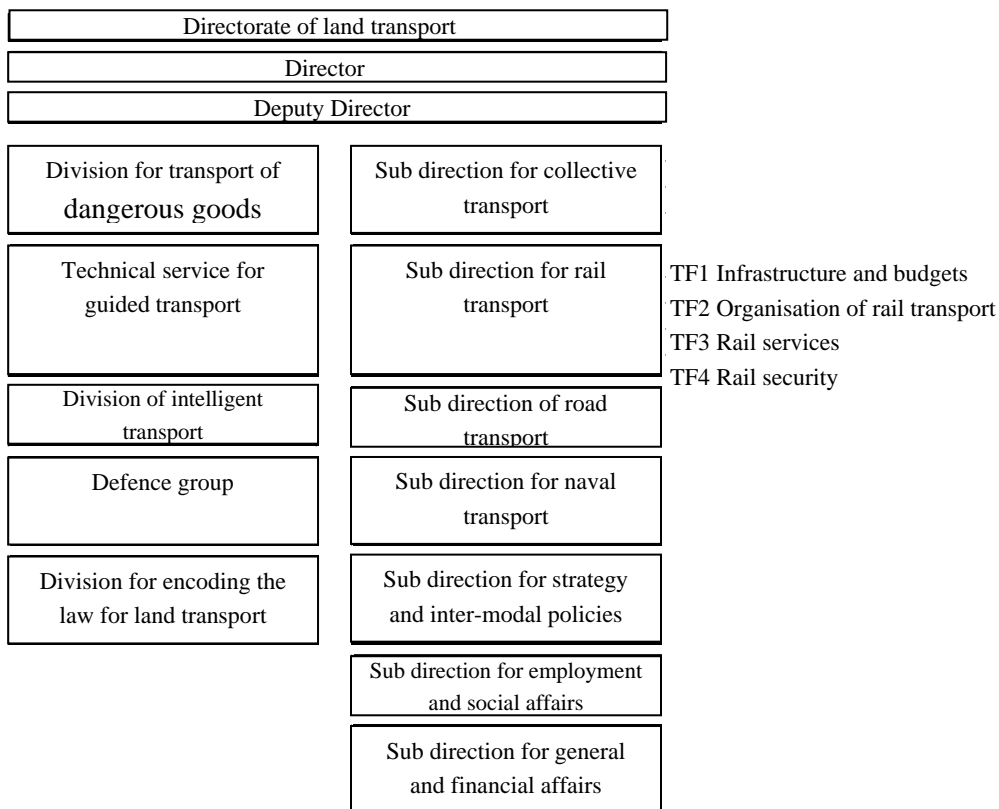
Ministry of Transport - Ministère de l'Équipement, des Transports, du Logement, du Tourisme et de la Mer.

Department of Land Transport - Direction des Transports Terrestres

Department of the central administration of the Ministry - Direction d'administration centrale du ministère de l'Équipement, des Transports, du Logement, du Tourisme et de la Mer,

Sub-department of rail transport - Sous direction des transports ferroviaires.

Organisation chart



Income and expenses

No specific budget allocated, but unspecified 'credits' (crédits de fonctionnement) to DTT.

Number of employees

Dep. 1 : Infrastructure and budgets : the director of bureau, 7 administrators, 1 secretary

Dep. 2 : Organization of railway transport ; director, 4 administrators, 2 secretaries

Dep. 3 : Railway Service : director, 5 administrator, 2 secretaries

Dep. 4 : Railway security : director, 4 administrators, 1 secretary

Legal constitution

State administration

Clients

Operators, RFF, Mission de Contrôle des activités ferroviaires

Contact details for clients

- Thierry Carriol
- thierry.carriol@equipement.gouv.fr
- Visiting address
- +33 1 40 81 17 49
- +33 1 40 81 16 61
- www.equipement.gouv.fr

Autonomy of organization

Licensing

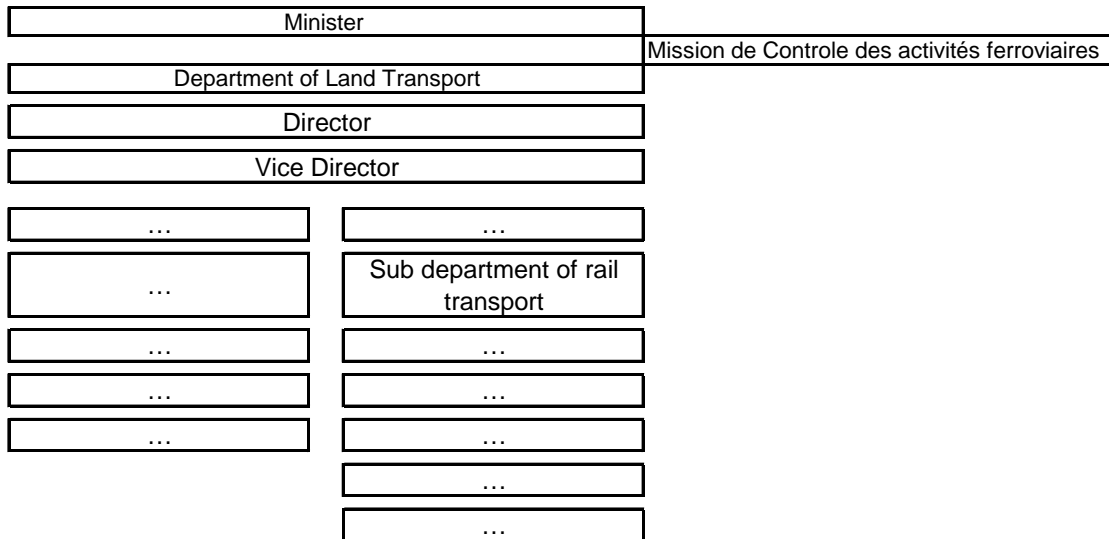
Applicants need to have a specified financial capacity. This capacity implies that the applicant achieves certain thresholds. These thresholds are defined in a common 'Arrêté' of the Ministry of Transport and the **Ministry of Finance**.

Safety certificate

The Ministry issues a safety certificate as one of the preconditions for access to the network. It bases its judgement on a **judgement of the RFF**, which itself bases its opinion on a **technical report established by the SNCF**.

1.1.4 Mission de Contrôle des activités ferroviaires

Organisation chart



(empty blocks represent « irrelevant to public task » departments)

The ‘Mission de Contrôle des activités ferroviaires’ is not an independent organisation but directly attached to the Ministry of Transport. For reasons of clarity this organisational entity is mentioned separately.

Income and expenses

There is no specific budget allocated to this entity. As for other departments of the Ministry it functions on the base of ‘credits’ (crédits de fonctionnement).

Number of employees

This organisational entity is comprised of three members: One member of State Council, one member of the Court of Auditors (Cour de Comptes) and a member of the General Council of Bridges and Roads (Conseil Général des Ponts et Chaussées)

The members of this organisational entity are not considered employees of the Ministry. The member coming from the State council acts as a president and sets the meeting schedule for Mission de Contrôle des Activités ferroviaires.

The Mission de Contrôle des Activités ferroviaires disposes of a secretariat and operational means provided by the Minister of Transport.

Legal constitution

Directly attached to Ministry of Transport

Clients

SNCF, RFF

Contact details for clients

See *Contact details* below Ministry of Transport

Autonomy of organisation

The organisational entity is directly attached to the Ministry of Transport but its members are not employees of the Ministry but members of other Councils, which assures a certain independence.

Its tasks are:

- Examine complaints addressed to the Ministry;
- General mission to observe access conditions to the network;
- Provide an annual report on complaints and on access conditions.

It is permanently concerned by the last two missions but gets together with regard to complaint handling when necessary.

1.2 Authorities required by the 2nd Railway Package

The second Railway Package demands for the establishment of a national safety authority and independent investigation authority. Currently no organizations are established and the deadline is foreseen for April 2006.

2 ORGANISATION OF PUBLIC TASKS

2.1 Separation, licensing and charging

- Directive 2001/12/EC, Directive 2001/13/EC, Directive 2001/14/EC: Implemented through amendments of Decree N° 2003-194 of 7 March 2003 regarding the usage of the national railway network and the law of 6 May 2003 determines the functioning of the controls of the national railway.
- Directive 2004/49/EC: not yet implemented. Planned to implement before 2006 (official deadline)

2.1.1 Investigation of accidents (2001/12)

Responsible organisation

SNCF, on behalf of RFF

Objectives, tasks and responsibilities

SNCF is on behalf of RFF in charge of the management of the traffic on the national railway network and of the functioning and the maintenance of technical installations and of safety.

SNCF takes immediate actions necessary to ensure the security of the users, first-aid teams, staff, third parties, railway traffic and the environment. SNCF equally informs relevant regional authorities and, if applicable, legal bodies.

SNCF equally informs the ministry of transport and RFF and delivers a report to both bodies. SNCF delivers any additional information to the Ministry for the establishment of the files of the Ministry.

SNCF is furthermore responsible to ensure that the take-up of services is performed under adequate safety conditions. For this purpose, SNCF coordinates with first-aid teams and the bodies leading legal or administrative enquiries.

In case of high or imminent risk for the safety, SNCF can on behalf of RFF, decide to precautionary immobilise a convoy. In this case SNCF immediately informs the RFF and the Ministry. The Ministry can then decide to suspend the licence for duration of maximal three month (see above).

Procedure

Railway undertakings that are operating on the French railways have to inform immediately SNCF of all accidents or incidents occurring while using the network. For further details on

procedure see above: SNCF takes necessary actions and informs the Ministry and all other relevant bodies.

Legal basis of procedure

Décret N° 2000-286 of 30 March 2000 regarding safety on the national railway network.

Arrêté of 8 January 2002 for the application of décret N° 2000-286 of 30 March 2000 regarding safety on the national railway network.

2.1.2 Safety certification of rolling stock and railway undertakings (2001/12)

Responsible organisation

Ministère de l'Équipement, des Transports, du Logement, du Tourisme et de la Mer.

Direction des Transports Terrestres

Sous direction des transports ferroviaires.

Objectives, tasks and responsibilities

Safety is a very important mission of the State. In France this priority is specified in 'article 9 of the LOTI (loi d'orientation des transports intérieurs modifiée – modified law of the orientation of internal transport): The State defines the rules of safety, the organisation of first aid and technical control applicable to transport. It monitors their implementation and controls the application.

With regard to railway traffic, provisions for safety are taken at two levels: the prerequisites for a licence to operate on the network and the safety certification.

An applicant for a licence has to fulfil the following preconditions with regard to safety:

- That staff dedicated to safety functions, and especially the *agents de conduite*, possess capabilities as outlined in article 21 of the 'Décret' of 30 March 2000.
- That staff, rolling stock and the organisation are of such nature that services can be provided with a safety equivalent to provisions of the 'Décret' of 30 March 2000.
- That the applicant is able to fulfil civil liabilities in case of an accident.

The licence furthermore specifies that the Ministry can suspend it with immediate effect in case of failure to fulfil safety obligations.

The Ministry issues safety certificates as one of the preconditions for access to the network. It equally has the right to withdraw it in case the defined rules are not respected.

The safety certificate is subject to:

- The respect of conditions with regard to the physical and professional fitness and qualification of staff dedicated to security functions on the railway network;

- Safety rules on the railway network and to modalities of their application;
- Technical rules and provisions for maintenance applicable to rolling stock on the railway network.

The order ('arrêté') of 4 August 2003 defines the nature of these conditions to obtain the safety certificate and fixes the formalities of the application for the certificate. It equally defines the technical conditions for handing over the licence, its duration (validity over time), the modalities for renovation or modification and of withdrawal and suspension.

The order of 26th of August 2003 relating to the method of operation of the national rail network specifies the respective rights and duties of the railway companies, the infrastructure manager and the deputy infrastructure manager.

In September 2003, the Ministry issued a guide for the preparation of technical dossiers by railway companies applying for a safety certificate. This guide provides among others explanations regarding general requirements relating to control of the use of suppliers or partners for activities concerning operational safety, inclusion of safety in the organisation of the railway company and factors relating to personnel authorised to occupy safety-related positions.

Procedure

The Ministry issues the certificate based on a judgement of the RFF. The provision that RFF develops its opinion on a technical report established by the SNCF has been abolished by a 'décret' of 10 February 2005.

The certificate clearly defines the services and the areas of the network for which it is valid. The applicant has to reimburse the costs incurred for the establishment of the technical report.

The Ministry can withdraw the licence in case defined rules are not respected. The withdrawal follows the same procedure as the issuing of the licence, i.e. it follows an advice of the RFF. The license holder has the possibility to react to an envisaged withdrawal.

In case of high or imminent risk, SNCF can, on behalf of RFF decide to immobilise a convoy precautionary. In this case SNCF immediately informs the RFF and the Ministry. The Ministry can then decide to suspend the licence for a duration of maximal three months and proceed with the procedure to withdraw the licence.

Any suspension or withdrawal of a licence is brought to the attention of the RFF.

Legal basis of procedure

Law n 92 – 1153 of 30th December 1982 amended on the management of domestic;
Décret N° 2003-194 of 7 March 2003 regarding the usage of the national railway network.

Arrêté of 4th August 2003 relating to the safety certificate.

Further specifications regarding safety regulations are fixed in the following laws:

Decree n 200-286 of 30th of March 2000 relating to safety on the national rail network;

Order of 5th June 2000 relating to the technical and maintenance rules applicable to rolling stock using the national rail network;

Order of 30th July 2003 relating to the physical and professional abilities and training of personnel authorised to occupy safety-related positions on the national rail network;

Order of 26th August 2003 relating to the method of operation of the national rail network; this Order specifies the respective rights and duties of the railway companies, the infrastructure manager and the deputy infrastructure manager;

Order of 1st of July 2004 relating to the exigencies applicable to rolling stock on the national rail network;

2.1.3 Licensing of railway undertakings (2001/13)

Responsible organisation

Ministry of Transport (Ministère de l'Équipement, des Transports, du Logement, du Tourisme et de la Mer)

Direction des Transports Terrestres

Sous direction des transports ferroviaires.

Objectives, tasks and responsibilities

The Ministry is in charge of the elaboration of the rail transport policy and its adaptation in the European framework in the perspective of land-use-development, regionalisation and quality of service for users. It defines and realises the state policy with regard to railway infrastructure.

The Ministry issues licences to become an authorised railway undertaking. Criteria for attribution are: good repute, financial capacity, ability to cover legal liability and professional competence.

With regard to professional competence it is defined that

- Applicants have knowledge, experience and a management organisation that allows to execute operational control and efficient and reliable monitoring of the type of transport specified in the licence;
- The staff dedicated to security functions has the capability as defined in the 'Décret of 30 March 2000';
- That the staff, rolling stock and organisation are of a nature to provide the requested services with a safety equivalent to the one defined by the 'Décret of 30 March 2000'.

Under certain circumstances, the Ministry is authorised to withdraw a licence. In case of safety problems the Ministry can immediately suspend the licence for duration of three month. If the problem does not have effects on safety, the Ministry can ask the applicant to bring its financial situation in order within 6-month time.

Procedure

Applicants transmit a document that lies down that the applicant fulfils the defined conditions to the Ministry. The document has to be in French. The Ministry has to respond to the application within three month of submission.

The Ministry re-examines the licence every four years. A licence holder has to reapply:

- In case of a modification of the legal situation, in particular in case of merger or change of control;
- If services are interrupted for six month or are not taken up within 6 month of grant of licence;
- If the licence holder intends to offer other services than those for which the licence is valid.

Currently licenses issued to SNCF, Europort 2 (cargo operator who operates in the channel tunnel) and CFTA Cargo (for international freight operations)

Legal basis of procedure

Decree 2003-194 of 7 March 2003 (OJ of 08/03/2003) Covering the use of the national rail network.

Arrêté of 6 May 2003 fixing the modalities of issuing of the licence, of a temporary suspension and of withdrawal of licences for railway undertakings.

Arrêté of 20 May 2003 fixing the relevant conditions with regard to capital, tax and social contributions.

Décret N° 2000-286 of 30 March 2000 regarding the safety of the national railway network.

Arrêté of 8 January 2002 for the application of the décret N° 2000-286 of 30 March 2000 regarding the safety of the national railway network.

2.1.4 Track access (2001/12)

Responsible organisation

Réseau Ferré de France (RFF)

Objectives, tasks and responsibilities

The allocation of infrastructure has to be ensured by RFF on an equal and non-discriminatory base. RFF takes decisions with regard to the attribution of each track and co-operates with other infrastructure managers in order to allow efficient creation and allocation of capacities implying several networks.

Procedure

To get access, undertakings have to be holder of a licence, possess a security certificate (both issued by the Ministry), and hand in a formal request to RFF.

The exact procedure is that the RFF examines the demands and asks SNCF to perform all technical studies relative to the execution of the demands.

As a result of this procedure, the RFF transmits a proposition to the applicant. The applicant bears the costs for the establishment of those studies.

When presenting the analysis of the requests for capacity, RFF establishes a “projet d’horaire de service” at least 4 month before its application.

In case of incompatible demands, RFF can propose alternative tracks (capacity) of the ones originally asked for.

Drawing and auctioning of lots is excluded. In case of several requests for the same slot of infrastructure, the RFF studies all possibilities that will allow conciliating the different demands.

Applicants have one month to react to the proposal of RFF. After this the proposal becomes definitive.

Within 10 days the applicants can object to RFF. RFF communicates then the objection to all applicants who than have equally 10 days to react.

If RFF finds out that it is impossible to respond favourably to all requests on a track or a section of a track of the infrastructure, it declares this section saturated and informs the Ministry of Transport.

It furthermore applies the established priorities rules. RFF then submits within a delay of 6 month a report to the Ministry. This report takes into account all reasons for the saturation and proposes measures to overcome the insufficient infrastructure capacity. This report can include observations of railway undertakings using the respective track.

Within 6 month from the submission of this report, RFF also submits a plan to increase capacities. This plan is established after consultation with the users of the saturated infrastructure.

Legal basis of procedure

Décret N° 2003-194 of 7 March 2003 regarding the usage of the national railway network

2.1.5 Developing the capacity allocation framework (2001/14)

Responsible organisation

Réseau Ferré de France

Objectives, tasks and responsibilities

Based on the guidelines set down by the European infrastructure managers, co-operating through the association RailNetEurope, RFF has created a network statement that provides all relevant information with regard to capacity allocation. In particular it provides:

- General information
- An inventory of access conditions to the national rail network
- A description of the infrastructure
- General rules, lead times, procedures and criteria for capacity allocation
- A description of the services offered to railway undertakings
- General rules, lead times, procedures and criteria applicable to charges
- Appendices – including applicable fee scales;

Any contract or framework agreement entered into between RFF and an individual railway undertaking or international group using the national rail network is drafted in accordance with the rules laid down in this network statement.

The network statement is updated annually, matching the relevant applicable timetables. The current edition of the network statement matches that of the timetables for 2005, applicable from 12 December 2004 to 10 December 2005.

Procedure

For allocation of capacity an official request must be submitted to RFF

Réseau Ferré de France proposes, in reply to a request :

- for all transport services :
 - a ready-made path from the structured train diagram set in place by Réseau Ferré de France ;
 - a tailor-made path in other cases.

- for international freight services: a "catalogue path". This catalogue is intended to facilitate the allocation of capacity to long-distance international freight transport. A minor adjustment of a catalogue path (displacement of a stop, for example) that does not entail any additional consumption of capacity can be requested.

The validity of the paths allocated is at most equal to that of the service timetable for which or during which the capacity was granted.

The process for construction of the train diagram allows coordination by :

- exchanges between the applicants and Réseau Ferré de France in the course of the successive phases of construction of the train diagram and of editions of documents ;
- the procedure for (recommended) feasibility studies, which constitutes the iterative phase of coordination between an applicant and Réseau Ferré de France ;
- the path application form, in which the applicant can rank-order, in advance, the criteria of his request.

Legal basis of procedure

Décret N° 2003-194 of 7 March 2003 regulating utilization and the access to the network of national railway

2.1.6 Publishing of capacity allocation framework (2001/14)

Responsible organisation

Réseau Ferré de France

Objectives, tasks and responsibilities

The allocation of infrastructure has to be ensured by RFF on an equal and non-discriminatory base. It establishes and finalises the network statement according to the rules of the consultation procedure (submission for comments to Ministry of Transport, undertakings on the railway network and user groups which have to reply within two month). It publishes the document in an appropriate way (among others on the web site: www.rff.fr) at least four month before the deadline for submission of requests for capacity (demandes de sillons).

The network statement is updated annually, matching the relevant applicable timetables. The current edition of the network statement matches that of the timetables for 2005, applicable from 12 December 2004 to 10 December 2005.

Procedure

See above

Legal basis of procedure

Décret N° 2003-194 of 7 March 2003 regulating utilization and the access to the network of national railway

2.1.7 Setting of infrastructure charges (2001/14)

Responsible organisation

According to the dispositions defined in the 'Décret 97-446 of 5 May 1997, it is the state that is responsible for setting infrastructure charges. The Ministry of Transport sets the infrastructure charges.

Objectives, tasks and responsibilities

Infrastructure charges shall:

- Contribute to cover maintenance and exploitation costs of the network as well as amortisation of investments, in particular of modernisations;
- Stimulate rail transport usage and to participate to land-use planning goals;
- Provide favourable conditions for the best use of the network;
- Provide access to the rail network for all actors concerned on a non-discriminatory and transparent base.

The pricing structure is based on a grouping of the network into four categories:

- (peri-)urban lines;
- interurban lines;
- high speed lines;
- other lines.

These categories can be divided into subcategories according to traffic levels. The charge for each of these categories is composed of a lump-sum part corresponding to the access to this section for a given period; of a part corresponding to the reservation of infrastructure capacity – even if this capacity is not used – and to a part corresponding to the actual traffic (operating charge).

The lump-sum part for the access of the charge is calculated taking into account costs occurring to RFF.

The part corresponding to the reservation is calculated based on a charge by kilometre and depend on several criteria: traffic levels, consumption of capacity, peak or off-peak periods, quality of paths.

The part corresponding to the actual traffic (operating charge) depends on the distance, the type of the convoy or of the traffic and of the tonnage.

Procedure

The exact prices are fixed in ‘arrêtés’ by the Ministry on a proposal of the RFF. Prices are fixed on a yearly base. The largest payment is for path reservation. The tariffs are mainly determined on the basis of financial considerations - there is strong pressure to increase these tariffs to alleviate RFF's poor financial position –and are not based on a detailed methodology to determine the marginal cost of the infrastructure.

Legal basis of procedure

Décret 97 – 446 of 5 May 1997 defines the framework and the general pricing scheme.

The prices are fixed in ‘arrêtés’; the 2005 scale of charges has been decided the 2 September 2004. and published in the Official Journal of 20 November 2004;. An arrêté interministériel of 10/12/2004 established the scale of prices for 2006.

2.1.8 Collection of infrastructure charges (2001/14)*Responsible organisation*

Reseau Ferré de France

Objectives, tasks and responsibilities

Infrastructure charges shall:

- Contribute to cover maintenance and exploitation costs of the network as well as amortisation of investments, in particular of modernisations;
- Stimulate rail transport usage and to participate to land-use planning goals;
- Reseau Ferré de France Provide favourable conditions for the best use of the network;
- Provide access to the rail network for all actors concerned on a non-discriminatory and transparent base.

Charges are calculated and collected by RFF.

Procedure

Not applicable

Legal basis of procedure

Décret 97 – 446 of 5 May 1997 defines the framework and the general pricing scheme. The prices are fixed in ‘arrêtés’; the 2004 and 2005 scale of charges has been decided the 29th of December 2003 and published in the Official Journal the 31/12/2003.

Décret N° 2003-194 of 7 March 2003 regulating utilization and the access to the network of national railway

2.1.9 Publishing of charging framework (2001/14)

Responsible organisation

RFF

Objectives, tasks and responsibilities

This "User Guide" to the national rail network is intended primarily for rail undertakings and for international groups of rail undertakings that wish to use the French rail network to carry passengers or freight. It may also be of interest to other players in the rail sector, such as regional governments that organize regional transport.

It contains all of the information you need to use the national rail network: characteristics of the rail infrastructure, conditions of access to the network, principles and criteria of capacity allocation, services provided, fees, useful contacts, etc.

Procedure

The network statement for the 2005 timetable is published by RFF in French, English and German on its web site www.rff.fr and can also be sent by CD-ROM (300 Euro incl. taxes).

Contact :

by mail: Réseau Ferré de France, Direction du réseau ferré / Service Marketing et Tarification / One-Stop-Shop, 92 avenue de France 75648 PARIS CEDEX 13.

by fax: Réseau Ferré de France, Direction du réseau ferré / Service Marketing et Tarification / One-Stop-Shop at 01 53 94 38 22 (domestic) or 33 1 53 94 38 22 (international).

by e-mail: OSS@rff.fr

by telephone: 01 53 94 33 33 (domestic) or 33 1 53 94 33 33 (international).

Legal basis of procedure

Decree 2003-194 of 7 March 2003 (OJ of 08/03/2003). Covering the use of the national rail network.

2.1.10 Appeal to decisions related to charging and capacity allocation (2001/14)

Responsible organisation

Mission de Contrôle des activités ferroviaires – a body directly attached to the Ministry of Transport.

Objectives, tasks and responsibilities

This arbitrator institution handles complaints brought forward to the Ministry of Transport, relating to:

- the content of the capacity allocation framework;
- the procedure of capacity allocation and its results;
- the charging system;
- the level or the structure of user charges that the organisation could be liable to pay;
- the safety certificate and the application and control of security standards and rules;
- the provision of services necessary for the use of the national railway network;
- the implementation of contracts for the usage of the network and framework agreements.

This group is furthermore in charge of general monitoring of access conditions to the national rail network. It can in this regard provide recommendations to the Minister of Transport in order to propose measures to facilitate the application of the law on the opening of the railway market. (Décret of 7 March 2003).

The Control Group furthermore prepares an annual report on the examination of the complaints and on the monitoring of access conditions.

State administrations and public companies have to provide all information that the Control Group considers necessary for the examination of the complaints.

Procedure

The group is directly attached to the Ministry. It consists of one member of the State Council, a member of the Court of Auditors (Cour de Comptes) and a member of the General Council of Bridges and Roads (Conseil Général des Ponts et Chaussées). It has to reply to complaints within one month. The annual report of this group is published.

The members of the Control Group have been nominated by Administrative order of 2 January 2004.

Legal basis of procedure

Décret N° 2003-194 of 7 March 2003 regulating utilization and the access to the network of national railway

Administrative order of 6 May 2003 fixing operating procedures for the mission of oversight of railway activities.

2.2 Interoperability and safety

- Directive 96/48/EC: implemented through the Act on Interoperability of the Trans-European rail system (561/2002)

- Directive 2001/16/EC: implemented through the Act on Interoperability of the Trans-European rail system (561/2002) however not fully.

On the 16th October, 2003 France was brought to the Court of Justice for failing to notify the Commission of any transposition of the rail infrastructure package regarding rail interoperability directive 2001/16 EC. France has not met the deadline for notification of transposition measures to the Commission which was set to 20 April 2003. In December 2003 there was still no notification from France.

2.2.1 Drawing up Technical Specifications for Interoperability (TSIs) (96/48 and 2001/16, art. 5)

Not implemented yet

2.2.2 Appointing of Member State representative in the Advisory Committee (96/48 and 2001/16, art 21)

Not implemented yet

2.2.3 Regulation of interoperability (96/48 and 2001/16, art 8 and 20)

Not implemented yet

2.2.4 Authorisation of (sub)systems (96/48 and 2001/16, art 14)

Not implemented yet

2.2.5 Control on (sub/system) operation and maintenance in accordance with regulations (96/48 and 2001/16, art 14)

Not implemented yet

2.2.6 Approval of Notified Bodies (96/48 and 2001/16, art. 20) please indicate which are the approved Notified Bodies and their relevant tasks

Agence De Certification Ferroviaire
(Certifer)
154, Boulevard Harpignies
F-59300 Valenciennes
France

Main responsibility in structural areas:

- Infrastructures
- Energy
- Control and command and signalling
- Rolling stock

Main responsibility in operational areas:

- -Maintenance
- -Operation and their constituents

2.2.7 Assessment/control of Notified Bodies (96/48 and 2001/16, art. 20)

Not implemented yet

2.2.8 Assessment of conformity and/or suitability of (sub)systems for use (96/48 and 2001/16, art 13)

Not implemented yet

2.3 State aid, competition and public service obligations

State aid

In March 2005, the European Commission approved financing arrangements for the restructuring of SNCF loss-making freight business. The three year restructuring plan which includes productivity and performance improvements is intended to restore Fret SNCF to profitability by the end of 2006. In total a capital injection of 1.5 billion Euro is foreseen of which the French State will provide 800 million Euro and SNCF will contribute the remaining 700 million Euro.

The provision of the aid will depend on the progress of liberalisation in France: While a first amount of 500 million Euro could be injected upon the approval of the plan, a second contribution of 500 million Euro can only be made after the opening up of international routes through France. A third amount of 400 million Euro can only be paid if the domestic market is liberalised by the 31 of March 2006, nine month before the date foreseen by the Directive. The remaining 100 million Euro will only be injected if additional needs arise. After this, the freight operator will not be able to apply for restructuring aid for ten years, if it remains legally linked to SNCF.

SNCF furthermore needs to take certain measures to ensure the independence of its freight division: Only the Board (Conseil d'Administration) of the freight division and not of the SNCF group, will be able to instruct the CEO of the freight division. An annual audit to ensure the separation of accounts has to be established by an external company and send to the European Commission.

Finally, the freight division of SNCF accepted to reduce its transported volume by 10 % during the period of restructuring; SNCF will restrain from 22% of locomotives and 18% of freight paths (sillons fret).

Until the end of 2004, the results of SNCF, in terms of traffic volume and revenues were conform to the previsions of the restructuring plan. But since the beginning of 2005, the situation rapidly deteriorated and by end of March 2005 SNCF was facing a gap of 39 million Euro with regard to the objectives set out by the plan.

2.3.1 Monitoring of competition (1017/68, 2001/12 and 01/2003)

Responsible organization

- General Directorate of Competition, Consumer protection and the Prevention of Fraud
Direction Générale de la Concurrence, de la Consommation et de la Répression des Fraudes (DGCCRF³).
- The Mission of Railway activity Control
Mission de Contrôle des activités ferroviaires

Objectives, tasks and responsibilities

The 'Direction Générale de la Concurrence, de la Consommation et de la Répression des Fraudes – General Department for Competition, Consumer Issues and repression of fraud, has on behalf of the Ministry of Economy, of Finances and of Industry, an essential role to play with regard to monitoring of economic stakeholders, companies, consumers and local elected bodies.

It monitors the functioning of the markets, which implies the specification of rules, of controls and if applicable of sanctions by courts.

The 'Mission de Contrôle des activités ferroviaires' equally has a general mission to observe access conditions to the network. It serves as administrative recourse for applicants for capacity on the French railway network.

Procedure

The 'Mission de Contrôle des activités ferroviaires' generally monitors the market. As it is the body that handles complaints of applicants it has direct access to those aspects of competition on the railway market.

Legal basis of procedure

The legal basis for the establishment and the role of the 'Mission de Contrôle des activités ferroviaires' is Décret N° 2003-194 of 7 March 2003 regarding the usage of the national railway network.

³ Ministry of Economy, of Finances and of Industry.

Law of 6 May 2003 determinign the functioning of the controls of the national railway

2.3.2 Enforcing of competition (01/2003)

Responsible organisation

General Directorate of competition for consumers and suppression of fraud (Direction Générale de la Concurrence, de la Consommation et de la Répression des Fraudes (DGCCRF)).

‘Mission de Contrôle des activités ferroviaires’

Objectives, tasks and responsibilities

See above

Procedure

See above

Legal basis of procedure

See above

2.3.3 Complaint handling related to competition (01/2003)

Responsible organisation

DGCCRF / Mission de contrôle des activités ferroviaires.

Objectives, tasks and responsibilities

See above

Procedure

See above

Legal basis of procedure

See above

2.3.4 Evaluation of annual PSO claims (1191/69)

Responsible organisation

- A ‘Conseil supérieur du service public ferroviaire’ – a higher council of public railway services – had been installed in 1999. Later on new members have been added to reinforce the representation of the regions. Currently it does not seem to be active.
- Regional and local authorities

Objectives, tasks and responsibilities

In the framework of the objectives of transport policy outlined by the Government and with regard to land-use and sustainable development, the Council has the task to monitor a balanced evolution of the railway sector, homogeneity of the railway public services and the coherence of the implementation of those objectives by RFF and SNCF as well as the respect of public service missions of those two organisations.

Regional and local authorities evaluate PSO claims for contracts signed for runs in their respective territories

Procedure

The Council can be consulted by the Minister of Transport on all questions regarding the organisation and the functioning of the railway sector and the accomplishment of the missions of the two public organisations. It can equally be consulted on all legal texts and projects of the railway sector.

If the Council is consulted it has one month to respond to the request. The Council can equally decide with the majority of its members to examine all questions that fall within its competence.

The Council furthermore establishes an annual report that gives details on the conditions in which the functioning of the public services in the railway sector are conducted.

The regional authorities specify the detailed service requirements and fares in a contract, which is typically for a 7 or 8 year period. Infrastructure charges are passed onto the regional authorities. There are no equivalent contracts or funding for national services, though it is very politically difficult for SNCF to discontinue certain services, and it is obliged to run unprofitable night services. In 2001 PSO claims paid to SNCF were €1.7 billion for regional and local services.

There some small government payments for SNCF (i.e. newspaper transporting and others) which amounted to €33 million in 2001.

Legal basis of procedure

Décree N° 2003-194 of 7 March 2003 regulating utilization and the access to the network of national railway.

Extra Questions on Public Service Obligation:

• **What kind of PSO is concluded for Railway Passenger Transport?**

In France the SNCF is the sole provider of rail transport services on the passenger market and provides the following type of services:

- Long distance

- High speed
- Regional
- Locals

These 4 different services do not form objects of 4 types of contracts/PSOs. In fact they can be grouped in two main categories as follow:

- Services of national and international interest: Long distance and High speed services (for example TGV and Corail).
- Services of regional interest: regional and local services.

For national and international services SNCF act on the base of a periodical law (décret) which regulate the reciprocal commitment between SNCF and the Central State (Ministry of Transport).

For regional and local services instead SNCF signs contracts with the Public Transport Authorities or Regions⁴ of 20 regions of France and with Ile de France⁵ (Regional Council of Paris) for its short distance transport services.

The nature of both PSOs (National and regional) is based on a net cost contract model in which the operator remains responsible to bear the risk for traffic revenues⁶.

- **Is a distinction made between long distance and regional/urban transport?**

See above.

- **Who are the contracting authorities?**

As outlined above for long distance services it is not possible to talk about public contracting authority. The base on which SNCF run this kind of service is a law and for its own nature does not contain any contractual element *strictu sensu*.

The contracting authorities for short distance (local/regional) services in France are the 20 French regional authorities and Ile de France (Regional Council of Paris). The contracting responsibility scheme can differ from Region to Region ranging from cases in which is the same Region to sign and manage the contract to other cases in which ad hoc institutions (Syndicats) have the overall legal and operational responsibility.

- **What is total contracting sum?**

⁴ Since 2002 there was a transfer of competences from the state to the regions, giving regions decision making powers and budgets concerning train passenger services in their administrative territories.

⁵ The contract is signed by STIF (Syndicat de Transport d'Ile de France).

⁶ For regional services such risk is mitigated with ad hoc clauses in contracts.

In France net cost contracts are used.

1. Exploitation subsidies

Millions euros	Subsidy 2003
Long distance	513
Regional	1.546
Total	2.059

Source: SNCF Annual Report 2003

• **What is the length of the contracts?**

For the 20 + 1 contracts regarding Regional services does not exist one single length. Most contracts were signed in 2002 and are they have a minimum duration of 5 years.

• **Are the PSO contracted via public procurement procedures?**

No service is committed via public procurement. All ongoing contracts are signed via direct negotiations between the parties (SNCF and Regional Authorities).

• **What percentage of the market is covered via PSO?**

In the following table are compared performances on regional service on one side and national ones on the other.

The item subsidy considers:

- Exploitation subsidies form regions(1546 M€) and Central state (34 M€)
- Compensation for special categories of users (479M€).

The Turnover considers all the positive elements of the profit and loss statement per service line as outlined in the SNCF Annual report 2003.

Millions euros	Subsidy 2003	Turnover	% Sub/turn
Long distance	513	5.166	10%
Regional	1.546	4.060	38%
Total	2.059	9.226	22%

Source: SNCF Annual Report 2003

2.4 Statistics

2.4.1 Collection of financial data from railway undertakings (1192/69)

Responsible organisation

Ministry of Transport - Direction 'Economic and International Affaires' (Direction des Affaires Economiques et Internationales)

Economic and statistical service (Service économique et statistique (SES))

With the sub divisions:

- Statistical observation of transport (Observation statistique des transports -ST);
- Statistical Office of transport (Bureau Statistique des transports - ST1);
- Office for economic and social synthesis of transport (Bureau Synthèses économiques et sociales sur les transports – ST2).

Objectives, tasks and responsibilities

The essential mission of SES is to produce, analyse and distribute statistical results and economic studies in the domains of transport, construction and housing. To this end the service exploits information received from other administrations or it realises own surveys.

Procedure

SES itself performs an important part of the statistical work. But other organisations provide a strong contribution: part of the transport statistics are provided by managers of ports, airports and waterways, of the SNCF, the general department of customs and so on.

Legal basis of procedure

The principal basis is the Décret of 7 March 2003; even if the collection of statistical data is not directly specified. Within the Ministry there is a sense of insecurity with regard to this question and the Ministry adopts a 'wait and see' position with regard to the transition of the market.

2.4.2 Collection of financial data from infrastructure managers (1108/70)

Responsible organisation

SES is in principle responsible for collection of data. It had requested that the obligation to transmit data from RFF to SES is defined in the statues of RFF. This has not happened. Therefore for the moment, SES heavily relies on SNCF for any collection of data.

Objectives, tasks and responsibilities

Not applicable

Procedure

Not applicable

Legal basis of procedure

Not applicable

2.4.3 National contribution to Community statistics on rail transport to Eurostat (91/2003)

Responsible organisation

Currently SNCF transmits directly its statistical data to Eurostat and sends a copy to SES. From 2004/2005 on, as a direct consequence of the Décret of 7 March 2003, SES will be responsible for the collection of statistical data of railway undertakings and for the transmission of these data to Eurostat.

Objectives, tasks and responsibilities

Not applicable

Procedure

See above: currently SNCF transmits directly its statistical data to Eurostat and sends a copy to SES. From 2004/2005 on SES will transmit the data. To this end it will use the SITRAM database, which will be fed by SNCF and all other railway undertakings. Due to its dominant market position, SNCF will initially receive a much more detailed questionnaire than other railway undertakings.

Legal basis of procedure

Décret of 7 March 2003

3 TRAIN OPERATING COMPANIES

3.1 List of train operating companies

Freight operations

SNCF

Europorte 2 (licensed)

CFTA Cargo (licensed)

Passenger operations

SNCF

Eurostar

Thalys

3.2 Safety license

Safety license issued to Europorte 2 on 22 October 2004

Safety license issued to CFTA Cargo for international freight operations on 29 December 2004;

3.3 Market shares/transport volumes

Freight operations

SNCF

Annual Freight Traffic

	2001	2002	2003
Tonnage transported (in millions of tonnes)	126.30	127.6	120.7
Number of tonnes-kilometres (in billions)	50.40	50.036	46.835

Passenger operations

SNCF

Number of passenger kilometres (in billions).

	2001	2002	2003
Trains Grande Vitesse (TGV)	37.40	39.81	39.60
Trains rapides nationaux	15.43	14.45	13.47
Total Grandes Lignes (GL)	52.84	54.26	53.08
Trains Express Régionaux (TER)	8.81	9.17	9.14
Services Ile-de-France	9.68	10.11	9.99
Total	71.33	73.54	72.21

4 NGO'S

The following NGOs are active:

4.1 Industry associations

FIF - Fédération des Industries Ferroviaires (Federation of Railway Industries)

The Federation of Railway Industries groups together all the companies operating within the French rail industrial sector, namely rolling-stock manufacturers, track and signalling industries, equipment integrators and maintenance/repair contractors. Its purpose is to defend and promote the interests of industries operating in the rail sector.

To this end:

- It puts across the viewpoints of French railway industries on changes in the political, legal and economic environment through an elaborated communication policy, comprising contacts with main general or specialist media, public colloquia and seminars;
- It also maintains essential dialogue with the public authorities, transport executives, Regions, likewise with national and urban railway operators: As such, it participates in the governing bodies of different railway associations including the Association of Railway Engineers and Managers (AFFI), Avenir Rail, the Association for the History of Railways (AHICF);
- On a European level it participates, within the Union of European Railway Industries (UNIFE), in the promotion of consultation and coordination between EU railway industries, and maintains a dialogue with the European Commission, European Parliament and international railway bodies;
- It is a source of information for its members, outside bodies and the general public;
- It contributes to standardisation and certification procedures by participating in the Railway Standardisation Bureau (BNF) and CERTIFER;
- It furthermore organises Technical Colloquia, Seminars and Events jointly with overseas trade bodies, and provides railway-specific training for commercial staff seconded overseas to develop the sale of France products and technologies.

4.2 User groups

AUTF – Association des Utilisateurs de Transport de Fret (Association of Freight Transport Users)

AUTF is an association bringing together shippers from all transport modes. It promotes a 'real transport and logistics policy' within its member companies. It represents industrial and commercial companies, trade unions and professional associations of the sector and regional associations of freight transport users. It is a lobbying organisation towards Ministries in charge of transports, industry, agriculture, environment and land-use planning, towards national

organisations and administrations of the sector, infrastructure managers, the European Union and represents national shippers in international organisations.

AUTF has an active communication policy. Among others it has issued several press releases advocating a faster liberalisation of the French Railway market.

It

- takes position in favour of the liberalisation of the freight transport on rail;
- lobbies for financial means to install adequate terminal facilities;
- requests high quality services of SNCF, in particular in favour of a prioritisation of freight transport;
- monitors the quality of freight transport by SNCF (publication of monthly index);
- implements a system of penalties for late deliveries.

AEDTF – Association Européenne pour le Développement du Transport Ferroviaire (European Association for the Development of Rail Transport)

AEDTF is an international railway lobby organisation based in France. Its aim is to promote passenger and freight transport by rail in Europe. It is a horizontal organisation in the sense that it assembles actors from different sectors. In its understanding it is a ‘club of debate’ allowing exchange, reflection and conciliations between a broad range of actors.

AEDTF has developed professional communication and lobbying activities. It claims to be a recognised organisation of reference for Public Administrations on international (EC, ETR, ICE and TGV), regional (IC, IR, EIR) and local level. It is actively taking position on important European subjects and in particular with regard to rights and obligations of international railway passengers.

FNAUT – Fédération Nationale des Associations d’Usagers des Transports (National Federation of Associations of Transport Users)

Most important lobbying organisation with regard to **passenger** transport in France. It links a range of smaller and regional associations. It is a very active lobbying organisation. It strongly advocates passenger rights in view of the liberalisation of the railway markets.

In France a great number of smaller and regional users associations, especially with interests with regard to passenger transport, are active.

4.3 Trade unions

Confédération Générale du Travail

Nine unions are represented at French National Railways. Six of these represent all staff from all areas of the company:

- The National Federated French Railway Employees, Managerial and Technical Staff Union, (la Fédération nationale des travailleurs, cadres et techniciens des chemins de fer français – CGT);

- the Federated Rail Workers' Union, (la Fédération des cheminots – CFDT);
- the CGT-FO Rail Workers' Union, (la Fédération syndicaliste force ouvrière des cheminots - CGT-FO);
- the French Christian Railworkers' Confederation, (la Fédération CFTC des cheminots);
- the Federation of United Democratic Rail Workers' Unions, (la Fédération des syndicats de travailleurs du rail solidaires, unitaires et démocratiques - SUD-RAIL);
- the UNSA Rail Workers' Union, (l'UNSA-cheminots.)

The National Union of Railway and Related Industries Managerial Personnel, (le Syndicat national du personnel d'encadrement des chemins de fer et des activités connexes - CFE-CGC) is representing employees in the management and supervisor constituencies.

The General Independent Driving Crew Union, (la Fédération générale autonome des agents de conduite - FGAAC) and the National Senior Management Union, (le Syndicat national des cadres supérieurs - SNCS) are representative in their respective categories. The following figures indicate staff delegate results for all constituencies at the elections held on the 26 March 1998:

Registered: 182,840, voted: 147,045 (80.42%), valid ballots: 141,500 (77.39%)

%	CGT	CFDT	UNSA	SUD	CGT-FO	CFTC	FGAAC	CFE-CGC	Other
1998	48.56	19.89	10.43	6.55	5.2	5.08	3.09	1.01	0.19

These six most important trade unions along with the General Independent Federation of Locomotive Engineers (Fédération générale autonome des agents de conduite, FGAAC), called a national strike from the evening of 17 March to the morning of 20 March 2003. The action was in protest at the opening up of international rail freight within the EU to competition, and the planned liberalisation of passenger rail transport. Main points of concern for the unions are safety and actions against 'social dumping'.

4.4 Environmental groups

ITE – Initiative Transport Europe (European Transport Initiative)

The European Transport Initiative is a federation of different transit traffic organisations from the Alps and other sensitive regions such as the Pyrenees. The organisation aims to reduce the volume of European freight traffic to a level, which is not harmful to humans, animals and plants and their habitats. In particular the organisation supports the principles of

- Having all transport modes pay their true costs;
- Giving priority to long-distance transport by rail and on existing waterway and along the coast;
- Optimise the use of transport capacities and improve existing infrastructures;

- Ensure the promotion of regional economic cycles to reduce long-distance road and air transport.

The organisation pursues its goals through networking and communication activities. In particular it issues an electronic newsletter, organises a yearly international transport conference and a decentralised international action day.

4.5 Other

GART – Groupement des autorités Responsables de Transports Publics (Association of Public Authorities responsible for Public Transport)

GART is an association of elected representatives bringing together 229 authorities responsible for the organisation of transport. GART represents nearly all agglomerations, 40% of the 'Départements' and three-quarter of the Regions in France. It is the 'voice' of those authorities on a national level and towards the European Union. It has an active, professional communication policy, especially involving the press. It organises a yearly conference (Rencontres du Transport Public and TRANSPORT-EXPO) attracting around 3000 participants, organises the week of public transport (with 280 administrations involved) and initiates regularly round-tables and 'study-days'. It furthermore provides expertise and advice to its members and actively stimulates debates on issues of transport. The objective of GART is improvement of mobility and the development of public transport in France. Its main focus is on urban transport but it also participates in all other debates of national relevance in this regard.

GART actively expresses political opinions, e.g. it issued a press release in reaction to the report on freight transport in France (called 'la nouvelle bataille du rail') published by two senators on the 11th of March 2003 and advocates strong investments in the rail infrastructure.

For information these organizations have been contacted:

Réseau Ferré de France
 Société Nationale des Chemins de Fer Français - SNCF
 Ministry of Transport
 Mission de Contrôle des activités ferroviaires

5 FURTHER FACTS AND STATISTICS

5.1 Complaint statistics and information

Not available

5.2 Railway accident statistics

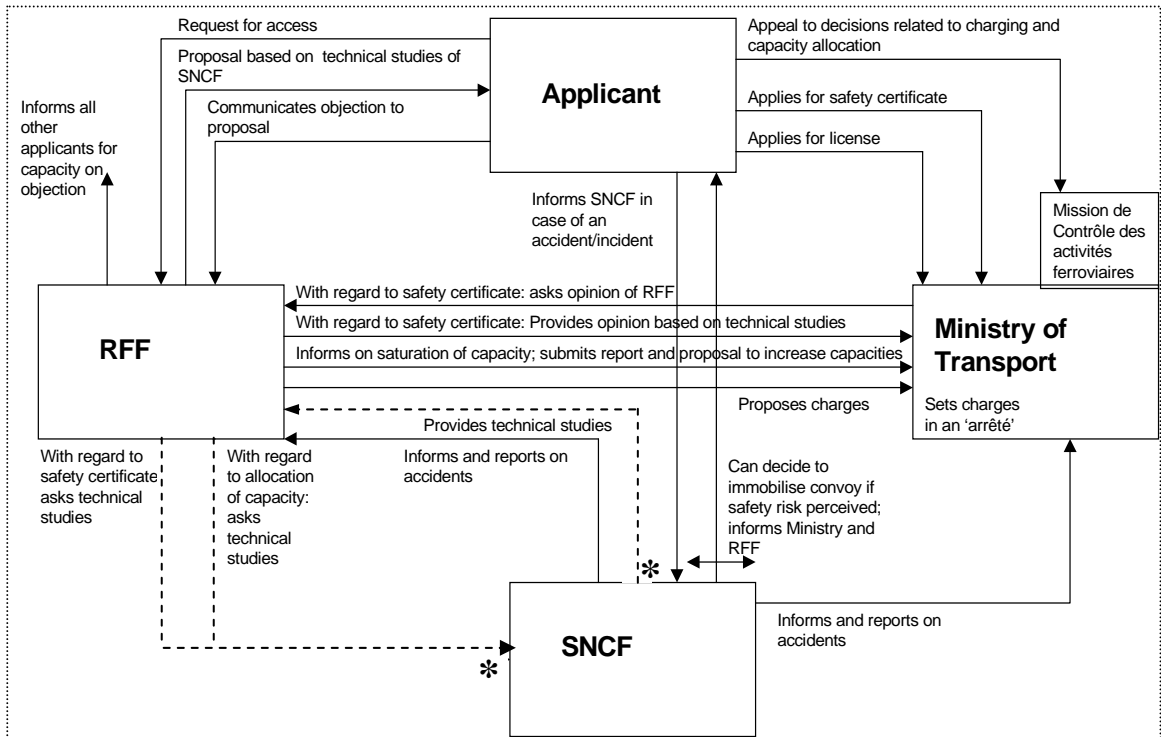
		1996	1997	1998	1999	2000	2001	2002
RAILWAY ACCIDENTS								
A number of accidents (1)		367	334	407	370	426	410	365
Accidents of trains		79	83	109	89	129	107	114
Of which:	collisions	56	54	62	47	72	63	73
	derailments and others	23	29	47	42	57	44	41
Accidents of which		0	0	0	1	1	1	1
Accidents involving people (2)		149	119	142	115	104	112	93
Other accidents (3)		139	132	156	165	192	190	157
Numbers killed (4)		80	79	85	63	73	68	64
Agents in service (5) (6)		4	11	2	4	6	3	5
Travellers (6)		14	22	14	11	15	11	22
of which	travellers by accidents of train (6)	0	9	0	0	2	0	0
Other people (7)		62	46	69	48	52	54	37
A number of severely wounded persons (8)		81	72	67	59	46	61	58
Agents in service (5) (6)		5	2	6	3	4	4	7
Travellers (6)		29	34	26	23	24	22	19
of which	travellers by accidents of train (6)	0	10	4	0	0	3	0
Other people (7)		47	36	35	33	18	35	32

ACCIDENTS OF CROSSINGS LEVEL (9)								
A number of accidents (10)		193	182	177	181	171	175	177
Collision of railway and road vehicles on level crossings:	kept	0	3	3	6	6	1	2
	with automatic indication	131	134	117	132	107	122	134
	not kept (without barriers nor indication)	35	28	35	26	35	37	26
Accidents of pedestrians		27	17	21	17	20	15	15
Numbers killed (11)		56	38	53	46	49	45	40
A number of severely wounded persons (11)		21	23	24	16	20	22	19

Source : SNCF

1. Accidents in which involved railway vehicle (or bus the SNCF) was moving.
However, only those accidents having involved a "serious consequences": death or serious wounds, significant material or installations damages and other significant disturbance to the circulation of the trains are taken into account
2. In particular: fall of a train, hit by a train... (without assumed suicides and suicide attempts).
3. For example: damages in full way of towing vehicle, rupture of overhead line, et
4. People deceased on the day or shortly after the accident.
5. It is about part of the industrial accidents occurred at the time of accidents entering within the framework of the definition (1).
6. Including victims of collisions to the level crossings.
7. Including the employees of companies working on the French rail network.
8. Injury type that requires a hospitalization of more than three days.
9. Not included in the heading ' ' railway accidents ' '.
10. Including the accidents of road vehicles on a level crossing.
11. Not including victims of collisions to the level crossings.

6 GRAPHICAL OVERVIEW



* Obligation of RFF to base its opinion on technical studies of SNCF has been abolished