



## Report on the activities 2024

### Rail Transport Commission RailCom



Schweizerische Eidgenossenschaft  
Confédération suisse  
Confederazione Svizzera  
Confederaziun svizra

Kommission für den Eisenbahnverkehr RailCom  
Commission des chemins de fer RailCom  
Commissione del trasporto ferroviario ComFerr  
Rail Transport Commission RailCom



## Contents

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## Foreword by the Chair

Dear reader

The topic of participation was a recurring theme at RailCom throughout 2024. We consider participation to be a central element of non-discrimination. This is why we are committed to ensuring that the companies and stakeholder groups concerned can participate appropriately in the various areas of rail transport, for example in system tasks (page 10) and in the implementation of the Traffic Management System (TMS) (page 9).

Our symposium held at the end of October was also dedicated to this topic. Together with the industry we discussed success factors, best practices and potential for improvement (page 15).

Cooperation between authorities is also vital; legislation is an institutionalised exchange and collaboration between the legislator and stakeholders to find viable and implementable solutions. During the consultation procedure, RailCom was able to contribute important aspects to various legislative proposals, such as the further development of the framework conditions for Swiss freight transport (page 7) and the planned amendments to the Rail Network Access Ordinance and the Timetable Ordinance (page 7). With the industry we also discussed measures that can be taken to avoid an exceptional situation such as occurred during the planning of the 2024 annual timetable.

RailCom welcomed Dr Barbara Furrer, Cesare Brand and Manfred Haller as new extremely competent and committed members of the commission at the beginning of 2024.



As for myself, after twelve years as RailCom chair my term of office comes to an end on 31 December 2024. I look back with pleasure on exciting tasks and developments, and on many enriching encounters and interesting conversations. It has always been a great pleasure for me to work with RailCom to promote the Swiss railway system. I wish my successor Dr Barbara Furrer, the commission and the specialist secretariat all the best for the future and thank them for the outstanding collaboration over the past few years.

Patrizia Danioth Halter  
Chair



## Management Summary

### Legal mandate

As an independent executive commission, the Rail Transport Commission RailCom ensures non-discriminatory access to the rail infrastructure and intermodal freight terminals and sidings co-financed by the Confederation. It monitors the non-discriminatory provision of rail freight services between the railway infrastructure and sidings or intermodal freight terminals, i.e. last-mile freight services. RailCom also monitors whether system tasks are performed in a non-discriminatory manner and whether participatory rights are respected by infrastructure managers (IMs) in short- and medium-term investment planning. It ensures fair framework conditions with regard to rail infrastructure and supports the efficient performance of the rail market.

RailCom fulfils its statutory mandate:

- by acting as a specialist court ruling on complaints by railway undertakings and other transport companies;
- by conducting, in its role as regulator, informal preliminary enquiries and ex officio investigations and taking measures to ensure non-discrimination. This involves conducting market monitoring and market surveillance;
- by promoting extensive cooperation at international level, in particular on rail freight corridors.

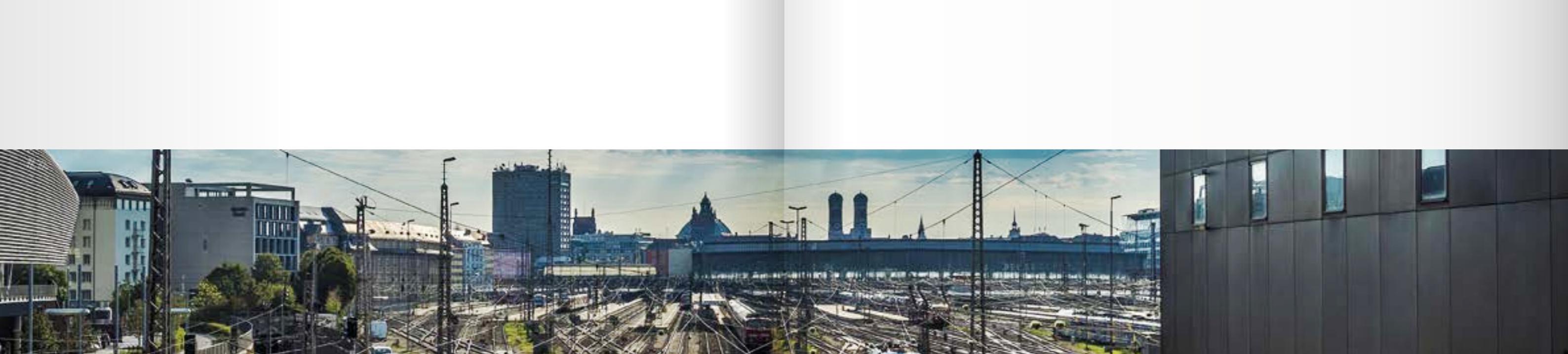
### Regulatory activities

#### Investigations and complaints

RailCom is conducting two ex officio investigations into suspected cases of discrimination. One of the investigations concerns network access, namely to the additional service 'Shunting in marshalling yards'. The other investigation concerns access to the CT intermodal freight terminals co-financed by the federal government, in particular prices and discounts. The operator of the facility lodged a complaint when this investigation was launched in 2021. In 2024, the Federal Administrative Court dismissed the complaint and RailCom was able to continue the investigation. One of the points made by the court was that the operator was required by law to cooperate in establishing the facts of the case and to provide RailCom with the documents necessary for its regulatory activities.

In 2024 RailCom received a complaint from a railway undertaking (RU) against a ruling by the Swiss Capacity Allocation Body (TVC) regarding the allocation of train paths for the 2025 annual timetable. The proceedings are ongoing.

One of RailCom's official tasks is to regularly monitor the conditions in the rail industry in order to identify potential discrimination at an early stage and to ensure prompt action is taken. In 2024 it focused on the following:



## Network access

Some of the issues addressed by RailCom in the area of network access are as follows:

- **Train path allocation** Because of the numerous construction sites on the rail network and following the derailment in the Gotthard Base Tunnel in 2023, RailCom intensified its supervision of train path allocation. In discussions with the TVS, SBB Infrastructure, the Federal Office of Transport (FOT) and the industry, it put forward various proposals on how to prevent the reoccurrence of the extraordinary situation that arose in the planning of the 2024 annual timetable, namely an exceptionally high number of train path conflicts.
- **Network access to Hafenbahnen Schweiz AG (HBSAG) facilities:** In 2024 RailCom analysed the various aspects of access to the HBSAG infrastructure and its use. Based on the findings of this analysis, RailCom agreed with HBSAG on measures regarding the calculation and invoicing of additional services.
- **Swiss Rail Traffic Control Centre:** In March 2024, SBB Infrastructure opened the Swiss Rail Traffic Control Centre (TCC) in Bern. In advance, RailCom supported SBB in the actual implementation of the requirements for non-discriminatory network access. It also visited the TCC in Bern to discuss initial operational experiences.

## Intermodal freight terminals

Owners and operators of intermodal freight terminals co-financed by the Confederation are required to publish the services, their prices (including discounts) and the basic conditions of access, capacity allocation, service provision and processes. In 2024 RailCom ensured that the owners and operators updated their published access conditions.

## Participation

Participation is a key element for non-discriminatory access to the railway network. The risk of discrimination occurring can be reduced by giving companies and stakeholders the opportunity to participate in processes and decision-making that affect them. Participation results in balanced, viable results. The principle of participation is established in many areas, for example when sector solutions are developed (superordinate tasks in accordance with Art. 36 RailA<sup>1</sup>) or with regard to system tasks (in accordance with Art. 37 RailA). IMs must grant the affected RUs and owners of private sidings a right to participate in short- and medium-term investment planning (Art. 37a RailA).

RailCom reviews participation on a case-by-case basis as part of the accompanying supervision activities. In 2024, it pushed for participation to be clearly defined and regulated with regard to various system tasks. Moreover, at the end of October it organised a symposium on open data in the railway sector.

## Future development of rail freight transport in Switzerland

RailCom supports the Federal Council's efforts to strengthen and expand single wagonload transport (SWT) as a network service and to promote multimodal transport chains. However, it advocates an environment in which state funding of SWT is competition-neutral and encourages innovation. Effective measures must be taken to ensure that subsidised network services do not cross-subsidise economically autonomous block train services and thus distort competition in the freight transport market. In addition, an independent supervisory authority with the necessary powers to enforce the measures is required, as is already the case today in other areas of subsidised rail freight services. For RailCom as supervisory authority for ensuring non-discriminatory network access, coherence in railway legislation is crucial.

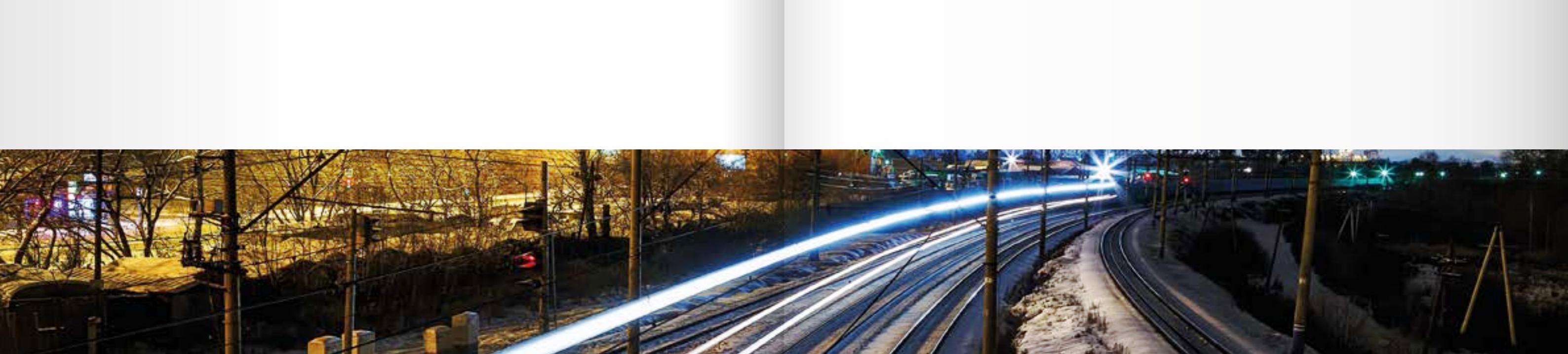
## Superordinate tasks and participatory rights

RailCom supported the system managers in the five system tasks Customer Information, Noise, ETCS, Train Communication and Vehicle/Track Interaction in performing their duties. It validated the contracts between the system managers in Customer Information, ETCS and Train Communication and the companies concerned.

RailCom, along with the FOT, also launched an information event on companies' legal right of participation in the IM's investment planning. Since this right of participation came into force, RailCom has been working to ensure that it is implemented in accordance with the law.

## Market surveillance

As part of its market surveillance activities, RailCom analysed the key figures on national transport services. In passenger transport, transport use in 2023 exceeded the pre-coronavirus pandemic level for the first time, thereby setting a new record. By contrast, in 2023 rail freight transport saw a year-on-year decrease of 5.2%, to slightly below the pre-pandemic level (2019).



## Legal aspects

### General

RailCom is an independent commission under Article 8a paragraph 3 of the Government and Administration Organisation Ordinance (GAOO<sup>2</sup>). It ensures non-discriminatory access to the rail infrastructure, to intermodal freight terminals and sidings co-financed by the Confederation and to last-mile rail freight services. As a market-oriented commission, RailCom supervises and provides support to ensure the efficient performance of the rail market (Art. 8m let. b GAOO). It fulfils its legal mandate under Article 40a<sup>ter</sup> of the Railways Act (RailA) as follows:

- As a specialist court, it rules on claims and complaints from railway undertakings and other transport companies.
- As the regulator, it conducts ex officio investigations and orders measures to ensure non-discrimination. To this end, it conducts market monitoring and market observation and carries out preliminary clarifications ex officio, at the request of the involved parties or when notified by third parties (Art. 17 Rules of Procedure<sup>3</sup>). RailCom applies the 'accompanying supervision' instrument to identify potential discrimination at an early stage, consulting and involving the stakeholders concerned. Appropriate measures can then be implemented.
- RailCom works with regulatory authorities abroad, in particular on rail freight corridors.

### Proceedings and legal investigations

In order to identify discrimination at an early stage and to take proactive measures, RailCom regularly monitors the relevant framework conditions within its area of responsibility (see 'General' section above). In 2024 RailCom also clarified a number of legal issues relating to market monitoring (see from page 8 onwards) and was active as follows:

- The Commission continued an ex officio investigation into discriminatory prices and discounts that it opened in 2021 against an operator of intermodal freight terminals co-financed by the Confederation. In a decision issued on 10.04.2024, the Federal Administrative Court dismissed the complaint lodged by the operator. One of the points made by the court was that the operator was required by law to cooperate in establishing the facts of the case and to provide RailCom with the documents necessary for its regulatory activities.
- In 2023 RailCom opened an ex officio investigation against an IM regarding discrimination in network access relating to the additional service 'Shunting in marshalling yards'. The IM lodged a complaint with the Federal Administrative Court against the launch of the investigation. The proceedings were pending before the Federal Administrative Court at the end of 2024.
- In 2024 RailCom received a complaint from a railway undertaking (RU) against a TVS ruling regarding the rejection of train path applications for the 2025 annual timetable. The proceedings are ongoing.
- At the end of 2024, an intermodal freight terminal operator co-financed by the Confederation lodged an appeal against a RailCom decision regarding the supervision of access to intermodal freight terminals. The appeal is pending before the Federal Administrative Court.

RailCom also responded to queries from companies concerning the following:

- Cost distribution of insurance premiums in an integrated railway company. RailCom conducted an investigation and found no discrimination.
- Following the introduction of IT systems by an IM and the associated implementation measures affecting RUs, it was necessary to clarify if compliance with the principle of non-discrimination was observed. No reasonable grounds for suspecting discrimination were identified. However, in the event of comparable system changes, RailCom recommended that the IM should inform RUs earlier and more explicitly and offer RUs the opportunity to actively participate in advance.

### Draft legislation: Further development of the framework conditions for Swiss freight transport

In spring 2024, the Council of States Transport and Telecommunications Committee discussed the total revision of the Federal Act on the Carriage of Goods by Rail and Navigation Companies (GCarA)<sup>4</sup>. In a hearing organised by the Commission, RailCom spoke in favour of clear and effective guidelines to prevent discrimination in rail freight transport. In particular, it stressed the need to ensure competitive neutrality and prevent cross-subsidisation of self-financing freight transport services by the subsidised network offering in SWT. RailCom also pointed out the need to establish an independent authority for the supervision

of non-discriminatory SWT services. The Transport and Telecommunications Committee launched a discussion in the Council of States on Swiss inland freight transport. Among other things, it proposed that RailCom be given explicit responsibility for supervision of non-discrimination in SWT. However, the Council of States rejected this proposal in autumn 2024 by 24 votes to 18. The parliamentary debate on this issue will continue in 2025.

### Amendments to the Railway Network Access Ordinance (RailNAO) and total revision of the Time-table Ordinance

The Federal Council submitted various amendments to the RailNAO<sup>5</sup> and the Timetable Ordinance for consultation in 2023. The amendments are due to enter into force on 1 February 2025. As part of the consultation procedure, RailCom recommended various clarifications, in particular of the terms 'main operators' and 'affected service facilities' (Art. 11b para. 4 RailNAO). This should ensure that at least all intermodal freight terminals and larger siding operators are included in the consultation on capacity restrictions.

RailCom also pointed out that Article 3 paragraph 3 of the FOT Ordinance on Rail Network Access<sup>6</sup> doesn't sufficiently consider whether an RU deliberately refrains from calculating energy consumption or whether metering is interrupted as a result of technical issues with installed metering devices. This is a distinction made by the IMs in their operations.

<sup>2</sup> SR 172.010.1

<sup>3</sup> SR 742.101.4

<sup>4</sup> SR 742.41

<sup>5</sup> SR 742.122

<sup>6</sup> SR 742.122.4



## Market monitoring

### General

As part of its market monitoring activities, RailCom systematically checks whether there is any potential for discrimination in its area of responsibility. On an annual basis, it monitors in particular:

- network access conditions applicable in the timetable period;
- train path allocation in the annual timetable;
- access to subsidised intermodal freight terminals.

RailCom also deals with a changing list of key topics each year.

### Network access

#### Network access conditions

RailCom carried out the annual review of the main IMs' publication instruments for the 2025 and 2026 timetables.

#### Train path allocation in the 2025 annual timetable

Because there are currently numerous construction sites on the rail network and following the derailment in the Gotthard Base Tunnel in 2023, in 2024 RailCom intensified its supervision of train path allocation. In discussions with the TVS, SBB Infrastructure, the FOT and the railway industry representatives, it put forward various proposals on how to prevent the reoccurrence of the extraordinary situation that arose in the planning of the 2024 annual timetable, namely an exceptionally high number of train path conflicts.

RailCom is working proactively to ensure that any changes made to the timetabling procedure are non-discriminatory and legally compliant.

#### Network access to Hafenbahnen Schweiz AG facilities

In 2024 RailCom analysed the various aspects of access to the Hafenbahnen Schweiz AG (HBSAG) infrastructure and its use. Based on its findings, RailCom and HBSAG agreed on a set of measures regarding the additional services that HBSAG provides; notably, HBSAG will revise the designations, the calculation and the invoicing methods of additional services.

#### Additional service 'Route-setting for shunting runs'

RailCom continued its accompanying supervision of the additional service 'route-setting for shunting runs'. In 2023 it agreed with SBB Infrastructure on various measures for a standardised and more user-oriented invoicing method for this additional service. SBB Infrastructure went on to adjust and standardise the invoicing methods for passenger and freight shunting. The new invoicing methods have been used since the 2024 timetable period and SBB Infrastructure's initial experiences are positive.

#### Additional service 'Stabling of railway vehicles'

In 2020 RailCom agreed on measures with the IMs and the TVS to prevent discrimination in stabling capacity management. In 2023 it carried out an audit with the IMs to establish to what extent the measures had been implemented. It identified a need for further action in a number of areas and discussed this with the IMs in 2024, in particular the question of how the IMs can handle internal stabling requirements without disadvantaging RUs.

#### Loading facilities

Having drawn up a package of measures to ensure the non-discriminatory operation of loading facilities in 2022, the following year RailCom supported the IMs affected in implementing these measures. In 2024, RailCom and TVS conducted discussions on how the capacity allocation body can proactively monitor multiple usage when dealing with conflicting orders and so ensure non-discrimination – both when the annual timetable is drawn up and in operations going forward.

#### Train path studies

RailCom supported SBB Infrastructure in implementing the measures agreed on in 2023, which aim to ensure non-discrimination in the drawing up of train path studies. SBB Infrastructure worked with TVS, among others, to optimise its range of train path studies. This concerned in particular studies that are commissioned relatively shortly before the start of the ordering process for the annual timetable. SBB Infrastructure also published an overview of all categories of train path studies that it offers in the various planning and time horizons and presented these at its customer board in November 2024.

#### Evaluation of network usage concept and plan

In 2024, the FOT carried out an evaluation of two planning instruments, the network usage concept and the network usage plan. In its statement on the matter, RailCom addressed the issue of governance, in particular the role of SBB Infrastructure.

#### Revision of track access charges

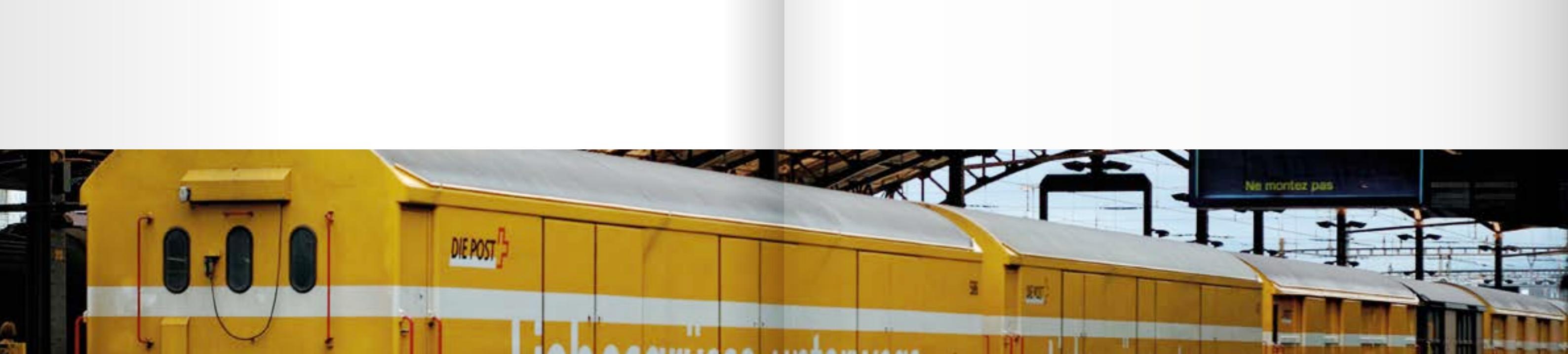
RailCom analysed the aspect of non-discriminatory network access in the revised track access charges and submitted a statement to the FOT. It is planned to increase the track access charge for rail transport by an average of 2.1% from the beginning of 2025 in order to cover the marginal costs derived from the use of rail infrastructure, as required by law. In order to avoid placing an above-average burden on rail freight transport companies, the latter will be given a discount on the traction current price up to 2027.

#### Swiss Rail Traffic Control Centre

SBB Infrastructure opened the Swiss Rail Traffic Control Centre (TCC) in Bern in March 2024. The aim of this centre is to provide forward-looking, centralised, cross-sectoral control of long-distance passenger and freight transport. From 2022 onwards, RailCom gave SBB Infrastructure specifications and recommendations for the design of the control centre. It visited the premises of the control centre in summer 2024 and exchanged information with SBB Infrastructure about initial experiences in operations.

#### Traffic Management System (TMS)

RailCom continued its accompanying supervision of the TMS. As in the previous year, it focused on simulations to establish non-discrimination in automated capacity planning and control; no indications of discrimination were detected.



## Last-mile rail freight services

Since July 2020, companies in the rail freight transport sector that provide last-mile services for themselves are required by Article 6a of the Goods Carriage Ordinance (GCarO)<sup>7</sup> to offer these services to third parties i.e. without discrimination. Last-mile services involve the delivery of trains, wagons or sets of wagons between rail infrastructure on the one hand and sidings or intermodal freight terminals on the other.

In 2024, RailCom consulted both providers and consumers of last-mile services on how Article 6a GCarO has affected the market in the four years since it came into force. Their feedback suggests that the article has made a certain range of services more easily accessible. However, relatively little market momentum has been generated as a result, and the industry rates the benefits as relatively low.

The current revision of the Goods Carriage Act (GCarA) could bring major changes for last-mile rail freight services: the GCarA dispatch of January 2024 proposes considering the deletion of Article 6a GCarO. RailCom will continue to monitor developments and put forward its point of view.

## Intermodal freight terminals

### Update on publication requirement

Article 6a GCarO requires the owners and operators of intermodal freight terminals co-financed by the Confederation to publish a list of services, the associated charges (including discounts) and the basic conditions for access, capacity allocation, service provision and processes. In 2019, RailCom established a template for the publication of these access conditions. There have been changes since (for example regarding charges and discounts), so in 2024 RailCom required the owners and operators to update their published access conditions. Going forward, RailCom envisages that owners and operators will be responsible for autonomously reporting any changes they make.

### Gateway Basel Nord (GBN) project

In 2024 RailCom and Gateway Basel Nord (GBN) discussed slot and capacity management and the associated requirements under Article 6 GCarO.

### System tasks

RailCom commented on the revised agreement between the FOT and the System Manager Customer Information (SKI) and on the statutes of the SKI+ transitional board. It also assisted SKI in drawing up and signing agreements with the companies concerned.

RailCom also commented on the draft agreement between the FOT and SBB on the Noise system task, which is expected to come into force in mid-2025.

## Cargo sous terrain

The Federal Act on the Underground Carriage of Goods (UCarGA)<sup>8</sup> stipulates that facility operators must grant customers non-discriminatory access to all transport services offered. As the regulatory authority in this regard, RailCom pointed out in its discussions with Cargo sous terrain in 2024 that all transport services provided will be subject to the principle of non-discrimination. It also addressed the issue of data protection.

Some agreements were signed between the companies involved and the system managers ETCS and Train Communication. The system managers are required to conclude the remaining agreements, and are endeavouring to do so.

RailCom was also in contact with RAILplus regarding the Vehicle/Track Interaction system task. In contrast to the other system tasks, RAILplus is not an industry company acting as system manager, but rather a cooperation platform for the sector. Companies are given the opportunity to actively participate in the implementation of the system task and make active use of this opportunity.

### Participatory rights in investment planning

In February 2024 the FOT organised an online information event with the support of the TVS, the Association of Public Transport (VöV) and RailCom. The topic of this event was the right of RUs and private siding owners to participate in the IMs' short- and medium-term investment planning. The investment plans that IMs are required to publish on the FOT's Web Interface Data Infrastructure (WDI) were also discussed. Apart from this, there was no progress in the implementation of participation rights compared to the previous year. The VöV has not yet published its recommendations on participatory rights. Nor has the FOT published the route concepts; these should make the investment plans easier to read.



## Market surveillance

### General

As part of its market surveillance activities, RailCom analyses developments in competition and non-discriminatory access on the Swiss rail network. It provides the railway sector and the general public with an insight into its activities on its website and in a newsletter.

### Transport use in passenger and freight traffic

Figure 1 shows developments in regional and long-distance rail traffic of passenger services from 2019 to 2023. In 2023 there was a marked increase of +15.3% in passenger transport<sup>9</sup>

use over the previous year (long-distance +14.0%, regional +17.4%). This took it to above the pre-pandemic level (2019) for the first time, setting a new record.

There was also an increase in traffic volume<sup>10</sup> (number of journeys made) over the previous year (+13.4%), but was still -4.3% below the 2019 figure. There was also a slight increase of +2.0% in the number of train kilometres<sup>11</sup> travelled. Compared with the same periods in 2023, passenger kilometres rose by +3.8% during the first quarter of 2024 and by +2.2% in the second quarter (provisional data from FSO, as at 11 September 2024).

### Development of transport capacity in rail passenger services

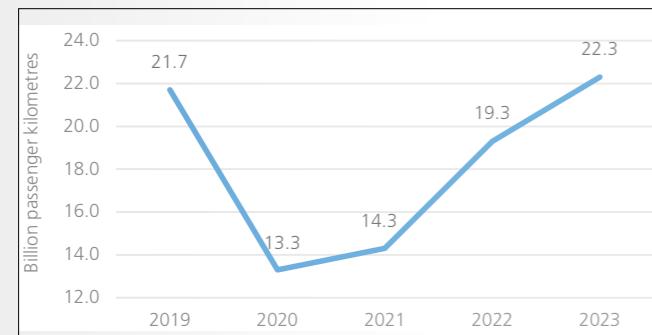


Figure 1: Rail passenger transport use (regional and long-distance) 2019-23. Source: FSO.

### Development of transport capacity in rail freight transport

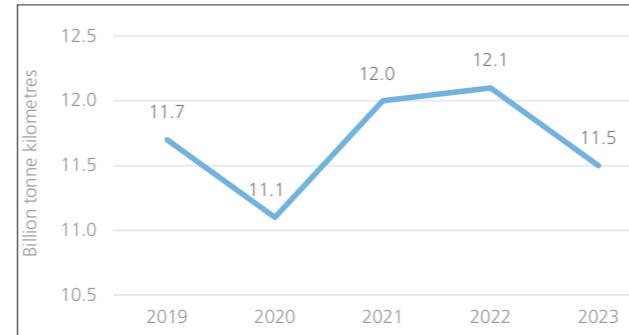


Figure 2: Rail freight transport use (domestic, import/export and transit traffic) 2019-23. Source: FSO.

<sup>9</sup> Rail passenger transport use: Total distance travelled by passengers in one year, measured in passenger kilometres.

<sup>10</sup> Rail passenger traffic volume: Number of passenger journeys in one year.

<sup>11</sup> Train-kilometre: One train-kilometre is the movement of one train over one kilometre.

Figure 2 shows rail freight transport use (domestic, import/export and transit traffic) from 2019 to 2023. Having increased in 2021 and 2022, cumulative transport use fell by -5.2% in 2023 to slightly below the pre-pandemic level (2019). The largest decrease (-17.2 %) was in export traffic, followed by import traffic (-15.4%) and transit (-6.3%). The volume of domestic traffic increased by +4.9%. The provisional FSO figures show that this trend will continue in 2024. The decrease in the cumulative transport performance of all rail freight transport<sup>12</sup> was -7.5 % in the 1<sup>st</sup> quarter and -2.4 % in the 2<sup>nd</sup> quarter over the respective periods in 2023.

### Selected key topics

#### MODI roundtable

The Federal Council wants to establish a federal mobility data infrastructure (MODI) for public and private transport in order to improve the information flow between infrastructure operators, transport companies, private providers and transport users. In 2024, a series of meetings chaired by Federal Councillor Albert Rösti were held. The benefits of MODI were demonstrated based on examples from road and rail transport. RailCom presented a use case scenario for sustainably improving efficiency and safety in the use, operation, maintenance and construction of rail and road infrastructure. Parliament representatives and members of associations and companies in the rail transport and logistics sectors, freight forwarders and the IT industry emphasised the need for MODI. The Federal Council intends to submit the dispatch on MODI to Parliament in the first quarter of 2025.

### Developments in single wagonload transport

In 2024 SBB Cargo increased its charges for single wagonload transport, in some cases significantly, according to the company in order to be able to offer the service on a cost-covering basis. The industry raised the issue of this price increase with RailCom on a number of occasions. The total revision of GCarA will redefine the conditions for this network service, and RailCom will continue to monitor developments in this area.

### International rail passenger transport

In December 2024, negotiations were concluded between Switzerland and the European Union (EU), which included an update to the Overland Transport Agreement. Switzerland will open up international rail passenger transport under controlled conditions: foreign railway undertakings will be able to offer cross-border rail connections to Switzerland independently, provided they can find an available train path. At the same time, Swiss undertakings will be able to offer their own cross-border connections abroad. The clock-face schedule for public transport in Switzerland will continue to take precedence over the EU when it comes to allocating train paths.

RailCom will monitor the effects of the new rules on market dynamics and non-discriminatory network access in Switzerland.

<sup>12</sup> Rail freight transport use: Parameter for describing the use of freight transport taking into account both the weight of the goods and the distance travelled. Transport use is expressed in tonne-kilometres.

(Source: FSO and SBB websites)



## International affairs

### Independent Regulators' Group – Rail (IRG-Rail)

In July 2023, the European Commission published a proposal for a Regulation on the use of railway infrastructure capacity in the single European railway area, amending Directive 2012/34/EU and repealing Regulation (EU) No 913/2010. Following a first reading in the European Parliament in March 2024 and the opinion issued by the European Council in June 2024, the proposal underwent various amendments. The so-called trialogue, an informal inter-institutional negotiation between the European Parliament, Council and Commission, has still not taken place. The aim is to reach a provisional agreement on the Regulation that is acceptable to both Parliament and the Council. This provisional agreement must be adopted by these institutions in formal procedures. RailCom is following developments as part of IRG-Rail's Emerging Legislative Proposals working group. The network-

based approach, which focuses on timetable redesign (TTR), is welcomed by RailCom as an opportunity to improve cross-border capacity management and cooperation between national regulators. In particular, RailCom supports those amendments to the proposal that address the imbalance between the competences of ENRRB (European Network of Rail Regulatory Bodies) and ENIM (European Network of Infrastructure Managers) and emphasise the independence of national regulators and their increased cooperation in cross-border matters.

RailCom also took part in the plenary meetings of IRG-Rail and the meetings of the Access working group, and compiled data from Switzerland for IRG-Rail's 2024 Market Monitoring Report. The two diagrams below give an overview of the trends and the degree of competition in European rail freight transport. This is of particular interest to Switzerland in view of the ongoing revision of the GCarA.

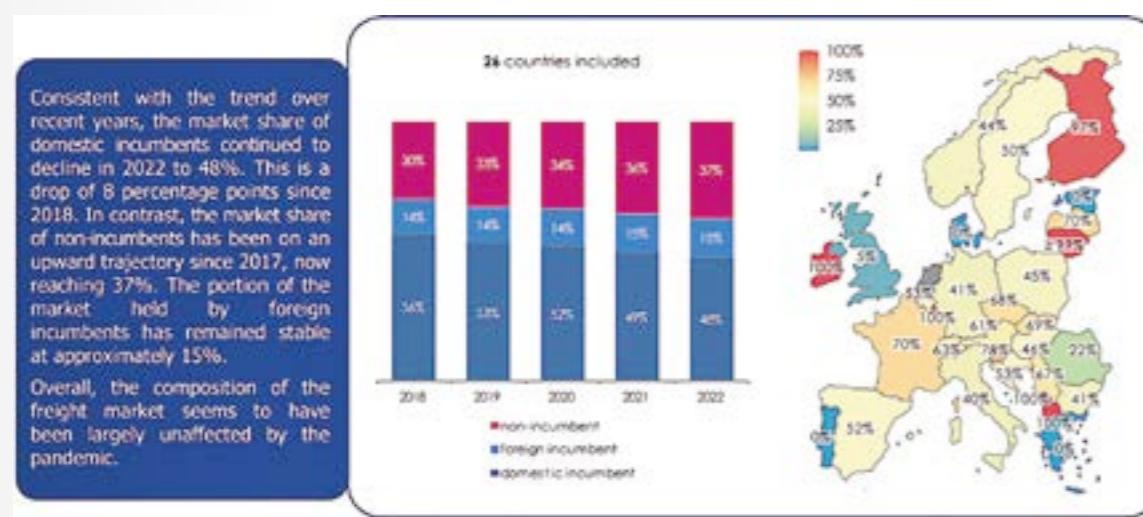


Diagram from the IRG-Rail 2024 Market Monitoring Report: Market shares of rail freight transport in 26 European countries based on net tonne-kilometres (left), and market share of former state-owned railway in each country (right).

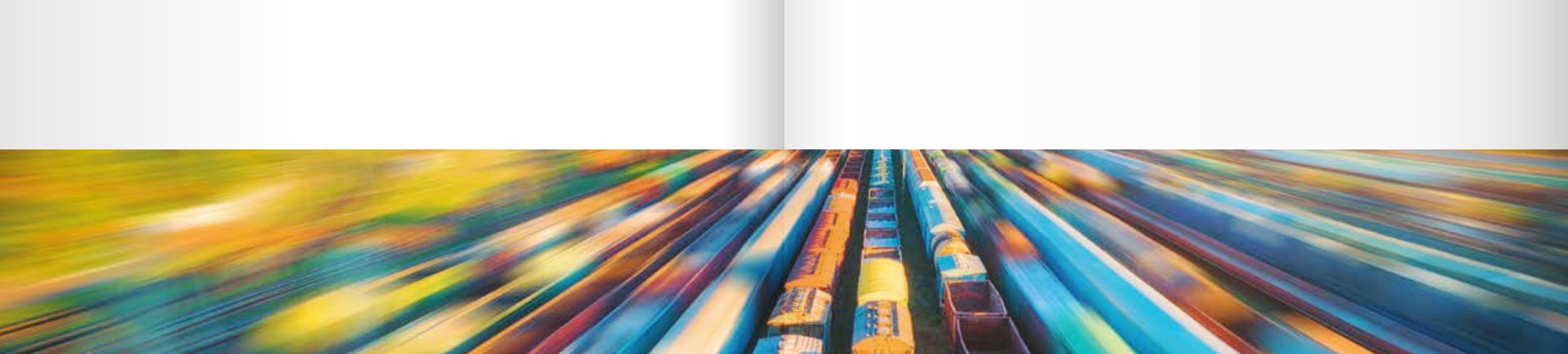
## Symposium

### Rail Freight Corridors (RFCs)

Switzerland is part of RFC 1 (Rhine–Alpine) and RFC 2 (North Sea–Mediterranean). RailCom is in regular dialogue with the national regulators and the C-OSSs (Corridor One-Stop Shops) on RFC 1 and 2. These two rail freight corridors will be merged from 2025. Switzerland – represented by the FOT – is taking on the chair of the newly created North Sea–Rhine–Mediterranean freight corridor along with Belgium. This will enable Switzerland to better promote its interests on the international access routes to the NRLA (New Rail Link through the Alps) in northern and southern Europe.

Together with the Swedish regulator, in 2024 RailCom drew up a monitoring report to gain an overview of the most important challenges for the operation of the corridors. This was based on feedback from RFC managers, the results of the current customer satisfaction survey and selected key data. The report revealed that RFC customers see the technical and operational conditions and the capacity restrictions associated with construction sites as the most significant factors inhibiting positive development. Furthermore, it found that the number of over 40 train path conflicts resolved for the 2024 annual timetable on RFC 1 is significantly higher than on the other ten corridors. This was the first time such a report has been produced. The survey will be repeated in 2025.

The RailCom annual symposium held on 25 October 2024 was attended by around 65 participants. The key theme discussed was 'Participation in the railway sector'. The topic was discussed from various perspectives in six presentations, ranging from legal requirements and general process design for participative projects to the stakeholders' detailed involvement in drawing up the annual timetable and in establishing the replacement plans required as a result of capacity restrictions. Participation was also discussed from the perspective of freight transport RUs. Success factors, best practices and potential for improvement were examined in a panel discussion. The presentations and a summary of the symposium are available on the RailCom website.



## RailCom

### Commission

RailCom was established on 1 January 2000. Its members are appointed by the Federal Council and the Commission's head office is in Bern. RailCom is affiliated with the Federal Department of the Environment, Transport, Energy and Communications (DETEC) in an administrative capacity. In 2024 it comprised the following members:



RailCom. Top line, left to right: Patrizia Danioth Halter, Prof. Dr Markus Kern, Cesare Brand. Bottom line, left to right: Anna Ciaranfi Zanetta, Dr Barbara Furrer, Manfred Haller, Christof Böhler (Head of Specialist Secretariat).

Position	Name	Background
Chair	Patrizia Danioth Halter	lic. iur., Attorney-at-law and notary, LL.M., Altdorf
Vice-Chair	Markus Kern	Professor in Law, LL.M., Professor of Constitutional, Administrative and European Law at the University of Bern, Bern
Member	Cesare Brand	Solicitor, Forel/FR
Member	Anna Ciaranfi Zanetta	lic. iur., Attorney-at-law, Finance and Economics Department, Canton of Ticino, Dalpe/TI
Member	Barbara Furrer	Dr iur., Attorney-at-Law, Head of Legal Affairs, DHL Express (Switzerland) AG, Hedingen/ZH
Member	Manfred Haller	EMBA, independent consultant, Unterkulm/AG

On 27 August 2024, the Federal Council elected Dr Barbara Furrer as the new chair of RailCom at the request of DETEC. Patrizia Danioth Halter, who has been chair of RailCom since 2013, will step down at the end of 2024 having come to the end of her term of office.

### Specialist secretariat

The specialist secretariat supports the Commission in its adjudicatory tasks, carries out regulatory activities and represents RailCom internationally in working groups. During the year under review, the secretariat staff were as follows:

Position	Name	Background
Manager	Christof Böhler	Master in International Affairs HSG
Deputy head	Melissa Rickli	lic. phil. hist.
Staff member	Ana Dettwiler	Attorney-at-law
Staff member	Ursula Erb	Dr oec. publ.
Staff member	Andreas Oppiger	lic. phil. nat.
Staff member	Katrin Suter-Burri	Dr sc. nat. ETH



## Outlook

### Railway infrastructure

In 2025, RailCom will once again focus on ensuring non-discriminatory network access. Among other things, it will review the allocation of train paths and the relevant IM publication tools.

It will also continue to promote the use of open data in the rail sector. RailCom will work with the industry to prepare for the introduction of MODI, by analysing existing data and assessing areas in which data should be published but is not yet available in a suitable form, for example. The rail sector is responsible for implementing MODI; RailCom will take on an accompanying and coordinating role.

Another focus is the accompanying supervision of ETCS system tasks, in particular an analysis of the concrete form of participation in the committees and potential discrimination.

### Intermodal freight terminals

Operators of intermodal freight terminals and of sidings co-financed by the Confederation are required to grant third parties non-discriminatory access to their facilities. RailCom is responsible for enforcing non-discriminatory access to these facilities. In 2025 RailCom will supervise facilities that are now co-financed by the federal government.

### Freight services

RailCom is planning to hold informal discussions with the Swiss rail freight transport companies in 2025. Initial informal round-table discussions having been held in 2023, RailCom would now like to create a new platform to discuss the freight RUs' concerns and any general issues relating to network access and last-mile rail freight services.

RailCom also intends to be involved in the 2029 revision of the track access charge and to continue to provide inputs on the draft legislation regarding framework conditions for Swiss freight transport. The latter will impact RailCom's work as a regulatory authority, particularly with regard to the Rhine ports.

## Glossary

Abbreviation	Meaning
C-OSS	Corridor One-Stop-Shop
CT	Combined transport
DETEC	Federal Department of the Environment, Transport, Energy and Communications
ENIM	European Network of Infrastructure Managers
ENRRB	European Network of Rail Regulatory Bodies
ETCS	European Train Control System
EU	European Union
FOT	Federal Office of Transport
FSO	Federal Statistical Office
GAOO	Government and Administration Organisation Ordinance
GBN	Gateway Basel Nord
GCarA	Goods Carriage Act
GCarO	Goods Carriage Ordinance
HBSAG	Hafenbahnen Schweiz AG
IM	Infrastructure manager
IRG-Rail	Independent Regulators' Group – Rail
MODI	Federal mobility data infrastructure
NEAT	New Rail Link through the Alps
NUC	Network usage concept
NUP	Network usage plan



Abbreviation	Meaning
RailA	Railways Act
RailNAO	Railway Network Access Ordinance
RFC	Rail Freight Corridor
RU	Railway undertaking
SBB	Swiss Federal Railways
SKI	System Manager Customer Information
SR	Classified Compilation of Federal Legislation
SWT	Single wagonload transport
TMS	Traffic Management System
TTR	Timetable Redesign
TVS	Swiss Capacity Allocation Body
UCarGA	Federal Act on the Underground Carriage of Goods
VöV	Swiss Association of Public Transport
WDI	Web Interface Data infrastructure of the FOT

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