

EN

E-004062/2025

Answer given by Mr Tzitzikostas
on behalf of the European Commission
(19.2.2026)

The independence of the rail infrastructure manager, in particular as regards path allocation and charging, which are the essential functions of an infrastructure manager, is fundamental to ensure the development of a strong and fair rail sector to the benefit of passengers and businesses. With Directive (EU) 2016/2370¹, specific rules to ensure this independence were introduced in Chapter II of Directive 2012/34/EU². The Commission is continuously monitoring and assessing compliance with these rules across the Union.

Article 2(1) of Directive 2012/34/EU provides that ‘railway undertakings which only operate urban, suburban or regional services on local and regional stand-alone networks for transport services on railway infrastructure or on networks intended only for the operation of urban or suburban rail services’ are to be exempt from the application of Chapter II of that Directive.

Based on the information available, the railway undertaking referred to in the Honourable Member’s written question only operates metro and tramway services on dedicated lines in and around the city of Athens. Therefore, it appears to be exempt from the independence requirements laid down in Articles 7 and 7a of Directive 2012/34/EU. For this reason, the Commission is not considering taking any steps regarding the matter described in the Honourable Member’s question.

The matter is not covered in the infringement case INFR(2023)2036³ mentioned in the Honourable Member’s written question, as this infringement is based on Directive (EU) 2016/798⁴ which does not contain any independence requirements concerning the infrastructure manager.

¹ Directive (EU) 2016/2370 of the European Parliament and of the Council of 14 December 2016 amending Directive 2012/34/EU as regards the opening of the market for domestic passenger transport services by rail and the governance of the railway infrastructure (OJ L 352, 23.12.2016, p. 1, ELI: <http://data.europa.eu/eli/dir/2016/2370/oj>).

² Directive 2012/34/EU of the European Parliament and of the Council of 21 November 2012 establishing a single European railway area (recast) (OJ L 343, 14.12.2012, p. 32, ELI: <http://data.europa.eu/eli/dir/2012/34/oj>).

³ More details can be found here: [https://ec.europa.eu/implementing-eu-law/search-infringement-decisions/?lang_code=sv&langCode=EN&version=v1&typeOfSearch=byDecision&refId=INFR\(2023\)2036&page=1&size=10&order=desc&sortColumns=decisionDate](https://ec.europa.eu/implementing-eu-law/search-infringement-decisions/?lang_code=sv&langCode=EN&version=v1&typeOfSearch=byDecision&refId=INFR(2023)2036&page=1&size=10&order=desc&sortColumns=decisionDate).

⁴ Directive (EU) 2016/798 of the European Parliament and of the Council of 11 May 2016 on railway safety (recast) (OJ L 138, 26.5.2016, p. 102, ELI: <http://data.europa.eu/eli/dir/2016/798>).