

PRESS RELEASE

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SLOVAKIA: suspicious competitive tender - probably with a specific winner in mind?

It is estimated that competitive tendering for subsidised rail services in the EU leads to a “20-30% saving for the taxpayer, with better quality trains as well”¹. Such savings can be then invested in other projects that help make rail more attractive.

Therefore, ALLRAIL is suspicious about a recently announced tender and its schedule for the Žilina-Rajec rail line in Slovakia – it seems that real competition is not wanted.

The announcement was made last week on 7th August 2019, with details published on the Slovak Transport Ministry’s website². However, they are only in Slovak, meaning that those operators with Slovak language skills get a head start.

Meanwhile, on the official EU portal for public tenders – TED – there is still only a notification that it will be coming³ – it will be another 1-2 weeks before the details are published - meaning others operators across Europe will have to wait.

Why is the tender schedule so important? Not only do other operators need time to prepare a submission, but – assuming that a new operator wins the contract - it then needs sufficient time to make preparations (organise rolling stock; recruit staff, etc).

For example: at the start of August 2019, Bavaria in Germany also announced a new tender schedule on TED⁴; the winning operator will take over in **December 2023**.

But the new Slovak tender schedule has the starting date as **1st February 2020**. Compared to Bavaria, this is **much too short**. A new operator will only have 2-3 months for all the preparations. Therefore, the tender probably has a **specific winner in mind** – the current operator who already has everything in place – state incumbent ZSSK.

ALLRAIL’S Secretary General Nick Brooks states: “**Protectionism disguised as a competitive tender undermines both the Single European Rail Area and the EU Fourth Railway Package**”. We will be sending our objections to both the Transport Ministry and EU stakeholders.

Just two weeks ago, Slovakia’s Antimonopoly Office fined incumbent ZSSK Cargo millions of euros for abuse of dominant position in the rail freight sector⁵. Now, we call on the same Office to investigate this new tender schedule as well.

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¹ M. Baldwin, Deputy Director EU Commission DG MOVE at Workshop “Tendering of PSCs for Rail Passenger Transport”, 30th May 2018

² <https://www.mindop.sk/ministerstvo-1/doprava-3/zeleznicna-doprava/liberalizacia-osobnej-zeleznicnej-dopravy/oznamenia-o-vyhlaseni-verejnej-sutaze>

³ <https://ted.europa.eu/TED/notice/udl?uri=TED:NOTICE:360820-2019:TEXT:EN:HTML&src=0>

⁴ <https://ted.europa.eu/TED/notice/udl?uri=TED:NOTICE:367526-2019:TEXT:DE:HTML>

⁵ [https://www.antimon.gov.sk/amo-sr-again-decided-about-the-abuse-of-dominant-position-in-rail-freight-transport/?utm_source=POLITICO.EU&utm_campaign=a502158e6c-](https://www.antimon.gov.sk/amo-sr-again-decided-about-the-abuse-of-dominant-position-in-rail-freight-transport/?utm_source=POLITICO.EU&utm_campaign=a502158e6c-EMAIL_CAMPAIGN_2019_08_05_07_32&utm_medium=email&utm_term=0_10959edeb5-a502158e6c-189530673)

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