

**Question for written answer P-010964/2013
to the Commission
Rule 117
Corien Wortmann-Kool (PPE)**

Subject: The tender for the Dutch high-speed rail network

A report in the Dutch daily newspaper, *De Telegraaf*, from 25 September, has revealed how *Nederlandse Spoorwegen* (Dutch Railways) is ducking its contractual obligations for the high-speed rail-link from Amsterdam to the Belgian border. Because of the technical problems surrounding the Fyra high-speed train, *Nederlandse Spoorwegen* wants to abandon the purchase of new high-speed trains and just use intercity trains on this route. If these plans are approved by the Dutch Government, a large proportion of the high-speed rail network's capacity will be underused. Reports have been circulating in the Dutch media about other parties who have indicated that they would be willing to take over running high-speed trains on this route, so that high-speed trains could indeed operate on the route in the future.

1. Can the Dutch Government unilaterally decide to grant *Nederlandse Spoorwegen* authorisation to operate intercity trains on the high-speed rail network, instead of high-speed trains, contrary to EU public procurement regulations?
2. Is the Commission aware that there are parties who may wish to operate high-speed trains on this route?
3. Is the Dutch Government required to provide the said parties with an opportunity to be able to compete in the tender and offer their train services, as specified under Regulation (EC) No 1370/2007, thereby offering passengers a high-speed rail connection to cities such as Brussels, London and Paris?
4. In general, what is the Commission's assessment of the manner in which the Dutch State has tackled tendering for the high-speed rail line? The terms of the tender have been modified several times in recent years – is this fair towards other parties who were sidelined at the time?