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Economic Commission for Europe

Executive Committee

Forty-first meeting

Geneva, 10 May 2011

Item 5 of the provisional agenda

Decisions on matters relating to Inland Transport

Committee: establishment of two new groups of experts

Establishment of a Group of Experts “Towards Unified Railway Law”

Note by the secretariat

1. The Inland Transport Committee, at its seventy-third session (1–3 March 2011) approved a position paper prepared by the Working Party on Rail Transport describing a strategy and an approach towards unified railway law in the pan-European region and on Euro-Asian land transport corridors (ECE/TRANS/2011/3). It agreed to establish a Group of Experts on this subject according to the Terms of Reference described in the annex of this document.
2. These terms of reference have been prepared in line with the UNECE Guidelines for the establishment and functioning of teams of specialists within UNECE (ECE/EX/2/Rev.1).
3. The Group of Experts will prepare an Inter-Governmental Document (IGD EurAsia) as a policy framework for General Terms and Conditions for Euro-Asian rail transport contracts (GTC EurAsia) to be prepared by the Organization for Cooperation between Railways (OSJD) and the International Rail Transport Committee (CIT).
4. The Group of Experts will report to the Working Party on Rail Transport. In line with the proposed work plan, the Group of Experts plans to complete its work by the end of June 2012.
5. The Group of Experts will be established without the need for additional resources from UNECE. Support work will be provided within the existing capacity of the UNECE secretariat. Resources of the United Nations Office at Geneva will be used for translation and conference services.
6. The Executive Committee is invited to approve the establishment of the Group of Experts “Towards Unified Railway Law”.

Annex

Terms of Reference of the Group of Experts “Towards Unified Railway Law”

I. Scope of issues and achievements expected

The Group of Experts will prepare a Memorandum of Understanding (MoU) or similar instrument to provide the political framework for the acceptance of “General Terms and Conditions for Euro-Asian Rail Transport Contracts” as well as for their correct and transparent use in accordance with the position paper adopted by the UNECE Working Party on Rail Transport (ECE/TRANS/2011/3, paragraphs 28–38).

II. Methods of work

The Group of Experts will be established and function in accordance with the UNECE Guidelines for teams of specialists approved by the Executive Committee of the UNECE on 31 March 2010 (ECE/EX/2/Rev.1). At its first meeting, the Group of Experts will adopt a work plan, clearly defining its objectives and activities, including a time schedule for their implementation.

The Group of Experts is expected to meet twice in 2011 at the Palais des Nations in Geneva before concluding its activities with the transmission of a report containing a draft MoU or similar instrument, including “General Terms and Conditions for Euro-Asian Rail Transport Contracts” to the Working Party on Rail Transport at its sixty-fifth session (Geneva, 3–4 November 2011). This report shall also contain proposals for monitoring procedures and follow-up activities.

Translation of documents and simultaneous interpretation of its sessions in English, French, and Russian and, as appropriate and available, Chinese shall be provided by UNECE for the two sessions held at the Palais des Nations.

Participation in the Group of Experts is open to all concerned United Nations member countries and experts from the European Commission’s Directorate General for Mobility and Transport (DG Move). Concerned intergovernmental and non-governmental organizations, including OTIF, OSJD and CIT as well as concerned railway companies, freight and forwarding industries are invited to participate and provide expert advice in compliance with UN rules and practices in this respect.

The Group of Experts should review and provide direction, as appropriate, to the work undertaken within the project “Transport interoperability CIM/SMGS” by OSJD and CIT that will prepare the underlying “General terms and conditions for Euro-Asian rail transport contracts”.

III. Secretariat

UNECE will provide secretariat services for the Group of Experts and shall ensure close cooperation with all stakeholders, including the European Commission, OTIF, OSJD, CIT and concerned Regional Commissions of the United Nations, particularly the Economic and Social Commission for Asia and the Pacific (ESCAP).