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Working Party on Rail Transport

Group of Experts towards Unified Railway Law

First session

Geneva, 6 May 2011

Item 4 of the provisional agenda

UNECE Group of Experts: Administrative arrangements

Work plan and Terms of Reference of the UNECE Group of Experts towards unified railway law in the pan-European region and along Euro-Asian transport corridors

Note by the secretariat

I. Work Plan

A. Objectives of work

1. In accordance with the UNECE Position Paper adopted by the UNECE Working Party on Rail Transport (ECE/TRANS/2011/3), 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)/International Rail Transport Committee (CIT) Legal Group.
2. IDG Eurasia would not constitute mandatory law, but would underline the political support of concerned Governments for acceptance of GRT EurAsia. It would thus constitute the policy framework for the correct and transparent use of international rail transport contracts in the pan-European region and along Euro-Asian transport corridors.
3. The Group of Expert should also review the work on GTC EurAsia undertaken by the OSJD/CIT legal Group and provide direction, as appropriate.
4. The UNECE secretariat should ensure close cooperation with the European Commission, Intergovernmental Organization for International Carriage by Rail (OTIF), OSJD and CIT as well as with the other concerned Regional Commissions of the United

Nations, particularly with the Economic and Social Commission for Asia and the Pacific (ESCAP).

B. Activities

5. At its first session, the Group of Experts will undertake the following tasks:
 - (a) Adoption of a work plan (objectives, activities, time schedule);
 - (b) Review of work on GTC EurAsia by the OSJD/CIT Legal Group;
 - (c) Agreement on objectives and elements of IGD EurAsia;
 - (d) Designation of experts to prepare a draft IDG EurAsia.
6. At its second session, the Group of Experts will undertake the following tasks:
 - (a) Review of work on GTC EurAsia by the OSJD/CIT Legal Group;
 - (b) Finalization of a draft IDG EurAsia for transmission to the UNECE Working Party on Rail Transport (SC.2).

C. Time schedule

7. In accordance with the UNECE Position Paper, work on the preparation and completion of IDG EurAsia is planned as follows:
 - UNECE Group of Experts, 1st session, 6 May 2011, Geneva
 - UNECE Group of Experts, 2nd session, 16 September 2011, Geneva
 - Adoption of IDG EurAsia: UNECE Working Party on Rail Transport, 4 November 2011, Geneva
 - Signature of IDG EurAsia: UNECE Inland Transport Committee (or at another occasion), 28 February 2012, Geneva (or at another date)

II. Terms of Reference¹

A. Scope of issues and achievements expected

8. 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).

B. Methods of work

9. 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

¹ The terms of reference of the Group of Experts are expected to be approved by the UNECE Inland Transport Committee on 3 March 2011 as contained in ECE/TRANS/2011/3, annex.

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.

10. 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 (3–4 November 2011, Geneva). This report shall also contain proposals for monitoring procedures and follow-up activities.

11. 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 in Geneva.

12. 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 United Nations rules and practices in this respect.

13. 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”.

C. Secretariat

14. 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).
