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Report of the Working Party on Rail Transport on its seventy-first session

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I. Attendance

1. The Working Party on Rail Transport (SC.2) held its seventy-first session from 27 to 29 November 2017 in Geneva.
2. The session of the Working Party was attended by the following countries: Austria, Bosnia and Herzegovina, Bulgaria, Croatia, Czech Republic, Germany, Hungary, Israel, Italy, Netherlands, Poland, Romania, Russian Federation, Serbia, Slovakia, Slovenia, Switzerland, Ukraine and United Kingdom of Great Britain and Northern Ireland. Representatives of China attended under Article 11 of the Terms of Reference (ToR) of the United Nations Economic Commission for Europe (UNECE). Representatives of DG Move of the European Commission of the European Union were present.
3. The Intergovernmental Organization for International Carriage by Rail (OTIF), the International Transport Forum, the Organization for Cooperation between Railways (OSJD) and the Project Central Office of ECE Trans-European Railway were represented.
4. The following non-governmental organizations were represented: the Community of European Railway and Infrastructure Companies (CER) AISBL, the International Rail Transport Committee (CIT) and the International Union of Railways (UIC).
5. Representatives of the following organizations and industry groups attended at the invitation of the secretariat: CMS Cameron McKenna LLP, Moscow State University for Transport Engineering (MIIT) and RAILPOL (European Network of railway police forces).
6. In accordance with the decision taken at its sixty-ninth session (ECE/TRANS/SC.2/224, para. 72), the session was chaired by Mr. K. Kulesza (Poland) and vice-chaired by Mr. H. Groot (Netherlands) and Mr. A. Rom (Israel).

II. Adoption of the agenda (agenda item 1)¹

Documentation: ECE/TRANS/SC.2/227

7. The Working Party adopted the revised agenda.

III. Workshop on “Railway Reform across the ECE region” (agenda item 2)²

Documentation: ECE/TRANS/SC.2/2017/2

8. Railways across the ECE region have changed significantly in recent years, to understand the main changes and to identify good practices within the region the Working Party on Rail Transport (SC.2) discussed railway reform across the region building on discussions held on this topic at previous sessions of SC.2. Presentations from a number of member States and other stakeholders updated the working party on progress towards railway reform. The discussion built on the background paper set out in ECE/TRANS/SC.2/2017/2.

¹ All informal documents and presentations made at the session are available at:
www.unece.org/trans/main/sc2/sc2inf_71.html,
www.unece.org/trans/main/sc2/sc2-presentations/presentations_71.html.

² All presentations made at the workshop are available at:
www.unece.org/trans/main/sc2/sc2_events/2017_railway_reform_in_the_ece_region.html.

9. Interventions in the first session included a presentation on the state of the railways in Romania, railway reform through the eyes of the Italian Transport Regulatory Authority and the work of the European Union in legislating for railway reform. Interventions in the second session included a presentation from CER on the view of its members on the subject, from the Rail Delivery Group on the evolution of reform in Great Britain, from Ukrainian Railways on developments in Ukraine and a presentation on reform in the Russian Federation from the Russian Railways.

10. Member States and other delegates commented on the importance of this workshop in providing information on the various approaches to railway reform and to sharing good practice in this area. Delegates agreed that there is no “one-size-fits-all” to railway reform and that each member State needs to review the options that are available and tailor their solution to meet their individual needs. The workshop also concluded that this should be done while ensuring a sound financial position for the railways.

11. The Chair of the Working Party informed delegates that a publication will be prepared on rail reform, based on ECE/TRANS/SC.2/2017/2 and on discussions at this and previous SC.2 sessions. As soon as the document is available, it will be circulated to delegates for comments and corrections in order to finalize the publication before the end of the year and have it available for the next session of the Inland Transport Committee (ITC) in February 2018. With this publication, the Working Party will have produced its first publication for more than five years.

12. The Working Party thanked the speakers for their intervention and welcomed the outcome of the workshop on Railway Reform across the ECE region. The Working Party asked the secretariat to continue gathering information on this subject and invite presentations at future sessions on this.

IV. European Agreement on Main International Railway Lines (agenda item 3)

Status of the European Agreement on Main International Railway Lines and adopted amendment proposals

Documentation: ECE/TRANS/SC.2/2009/1, informal document SC.2 No. 6 (2016), ECE/TRANS/SC.2/2017/6 and Corr.1

13. At present, the European Agreement on Main International Railway Lines (AGC) has 27 contracting parties.³ Detailed information on the AGC, the up-to-date and consolidated text of the AGC (ECE/TRANS/63/Rev.3), a map of the AGC network, an inventory of minimum standards stipulated in the AGC and the relevant Depositary Notifications are available on the website of the Working Party.⁴

14. The Working Party took note of the secretariat efforts to increase the number of contracting parties to the AGC. In particular, the secretariat made the most of some key international railway events to explain the importance of, and disseminate information on the AGC.

³ Albania; Austria; Belarus; Belgium; Bosnia and Herzegovina; Bulgaria; Croatia; Czech Republic; France; Germany; Greece; Hungary; Italy; Latvia; Lithuania; Luxembourg; Montenegro; Poland; Republic of Moldova; Romania; Russian Federation; Serbia; Slovakia; Slovenia; the former Yugoslav Republic of Macedonia; Turkey and Ukraine.

⁴ www.unece.org/trans/main/sc2/sc2_AGC_text.html.

15. The AGC Administrative Committee recalled that at its seventieth session in November 2016 it took note of the amendments proposed by Germany in informal document SC.2 No. 6 (2016) modifying ECE/TRANS/SC.2/2009/1. For administrative reasons it was not possible to prepare a depositary notification based on this informal document. As such, documents ECE/TRANS/SC.2/2017/6 and Corr.1 were prepared for the session.

16. The Administrative Committee adopted the amendments set out in ECE/TRANS/2017/6 and Corr.1 and asked the secretariat to proceed with the relevant depositary notification.

V. Rail Security (agenda item 4)

Documentation: Informal document SC.2 No. 4 (2017)

17. The Working Party recalled that at its previous session, it had adopted the proposal made by the secretariat, following the conclusions and recommendations of the workshop organized during its sixty-seventh session (23-25 October 2013) on the development of an electronic space on rail security. The electronic space on rail security is an advanced web-based platform, which can operate as an international observatory on rail security issues, with stakeholders having the opportunity and possibility to:

- (a) Disseminate ad hoc knowledge and best/good practices;
- (b) Exchange information about projects and other initiatives/proposals;
- (c) Seek cooperation on specific rail security projects/tasks/studies and research agreed upon during SC.2 sessions and other events, and focus on developing definitions.

18. The Working Party took note that, following discussions at the seventieth session of SC.2, the secretariat sent out a letter to member States requesting the nomination of a focal point to upload information on the electronic space. To date, the secretariat has created access to the electronic space for 19 users. The secretariat, through a presentation explained the improvements that had been made to the interface to render it more user-friendly.

19. In addition to the presentation of the secretariat, two presentations were made by UIC on their Security Hub and the Terrorist Attack Database, as well as a presentation from the delegate of the Czech Republic (Informal document SC.2 No. 4 (2017)).

20. The secretariat informed the Working Party that it will be organizing a workshop on rail security in collaboration with International Transport Forum (ITF) and UIC at the ITF annual forum.

21. The Working Party took note of the progress on rail security and welcomed the presentations from the secretariat and UIC. The Working Party asked those member States that had not yet notified contact points to the secretariat for the rail security observatory to do so. It also encouraged delegates to make full use of the observatory by uploading relevant documents to the portal. The Working Party also welcomed the decision to hold a workshop jointly with ITF and UIC at the ITF annual summit in Leipzig (Germany) to continue discussion on the observatory and wider security issues.

VI. Euro-Asian rail transport (agenda item 5)

Documentation: Informal document SC.2 No. 2 (2016)

22. The secretariat informed the Working Party about the progress of work in the Group of Experts on EATL and the completion of the EATL project Phase III. The secretariat also

informed the Working Party that the ECE secretariat were invited to organize in the second half of 2018 an international conference for launching the “operationalization of Euro-Asian Transport Links”. The conference should focus on achieving practical outcome, such as for example an elaboration and approval of a plan of voluntary actions by governments and business towards implementation of the recommendations contained in the report concluding Phase III of the EATL Project.

23. The Working Party reiterated its support for the EATL project and encouraged the rail sector to get increasingly involved in related discussions.

VII. Trans-European Railway (TER) project (agenda item 6)

Documentation: ECE/TRANS/SC.2/2017/1

24. The Project Manager of TER, Mr. G. Bessonov briefly presented a report on the activities of the TER Project for 2017 (ECE/TRANS/SC.2/2017/1). The work of the TER Steering Committee has focused on continuing the revitalization of the project including through the preparation of a marketing brochure, the completion of the TER Master Plan on High-Speed Trains and the programme of work for the next biennium. The Deputy Project Manager, Mr. A. Zimmer, thanked the consultant and presented Phase 1 of the TER Master Plan on High-Speed Trains and explained that the document would be made available in the coming weeks. He mentioned that Phase 2, extending the Master Plan to the entire ECE region, is being initiated and it is hoped that a consultant will be hired in 2018 for this.

25. The Working Party welcomed the work carried out within the TER project and welcomed the finalization of Phase 1 of the TER High-Speed Master Plan and the initial activities related to Phase 2 of the project.

VIII. Railway infrastructure financing and Public-Private Partnerships (agenda item 7)

26. The Working Party recalled the discussions on good practices on Public-Private Partnerships (PPPs) implementation in railway infrastructure development, and the development of standards while implementing PPP projects.

27. On this issue, Mr. C. Eberhard from the European Investment Bank (EIB) and Mr. J. Beckett from CMS Cameron McKenna LLP provided their views on the developments of rail financing and PPPs in the rail sector. Discussions pointed to the fact that PPPs are not always the appropriate solution in the sector and that other financing models may be better. In going into more detail on this, EIB stated that there had been no new PPP projects in railways since 2014, while a number of new rail infrastructure projects had been started in the ECE region in that period.

28. The Working Party welcomed the information provided in relation to railway infrastructure financing and asked the secretariat to continue providing information on this at future sessions.

IX. Master Plan on High-Speed Trains (agenda item 8)

29. This agenda item was discussed under agenda item 6.

X. Towards unified railway law in the pan-European region and along Euro-Asian transport corridors (agenda item 9)

Documentation: ECE/TRANS/2016/18, ECE/TRANS/2016/17, ITC Resolution No. 263, ECE/TRANS/SC.2/GEURL/2017/2, ECE/TRANS/2017/18

30. The Working Party recalled that ITC at its February 2016 session had adopted a draft resolution on unified railway law (ECE/TRANS/2016/17) and had approved new ToR (ECE/TRANS/2016/18) for the Group of Experts towards Unified Railway Law (GEURL). SC.2 also recalled that the further extension of the mandate of the Group of experts was approved in the February 2017 session of ITC and then at the EXCOM meeting in April 2017. The Group of Experts met in June and in November 2017 to discuss progress with pilot tests and the preparation of necessary documents. The Group of Experts agreed that the work of the Group of Experts should continue under new ToR. However, the Group of Experts could not reach an agreement on the substance of the new ToR and requested the secretariat to present the different options at the Working Party session for its decision.

31. The Working Party decided that the mandate of the Group of Experts should be extended for another two years. However, the Working Party did not reach an agreement on the ToR of the new mandate of the Group of Experts since three options were proposed:

- Consider what has been already prepared as the new convention therefore the new ToR should focus on preparing the new convention (administrative clauses as well as necessary documents), including the elaboration of real pilot tests;
- Consider what has been already prepared as an annex of a framework convention therefore the new ToR should focus on the elaboration of the framework convention including four additional annexes such as: (a) provisions on dangerous goods, (b) provisions on the use of freight trains, (c) provisions on rail infrastructure, (d) provisions on rolling stock;
- Extend the current mandate of the Group of Experts (same ToR) for one more year in order to perform the pilot tests and prepare the necessary documents.

32. The Working Party decided that a formal document should be prepared and submitted to the next ITC session that will include all these three options as ToR for the extension of the Group of Experts otherwise, there will be no possibility to discuss and decide an extension of the mandate of GEURL. However, the Working Party requested the secretariat to organize a Friends of Chair meeting well before the meeting of ITC in February in order for the experts to have another opportunity to discuss and eventually prepare a common proposal on the ToR of the Group of Experts since ITC is not a forum for discussing and negotiating such documents.

XI. New convention on the facilitation of crossing of frontiers for passengers and baggage carried by rail (agenda item 10)

Documentation: ECE/TRANS/SC.2/2016/2, ECE/TRANS/SC.2/2016/3 and ECE/TRANS/SC.2/226, para. 34, Informal document SC.2 No. 2 (2017), Informal document SC.2 No. 6 (2017)

33. The Working Party recalled that, at its previous session, it had agreed on a road map for the finalization of the new convention (ECE/TRANS/SC.2/226, para. 34)

34. Following this road map, delegates from SC.2 were invited to continue discussions on the draft convention at the 146th meeting of the Working Party on Customs Questions affecting Transport (WP.30) on 15 June 2017. Subsequently, WP.30 noted during its

October 2017 session that the draft final text of the convention had been prepared. The secretariat noted that, at its 148th session (February 2018), WP.30 would have before it the draft final text as an official document in the three UNECE working languages (ECE/TRANS/WP.30/2018/6).

35. The Working party considered the draft convention on the facilitation of border crossing procedures for passengers, luggage (informal document SC.2 No. 2 2017). The Working party took note of the advanced stage of the text of the draft convention, which reflects the achievements of the discussion on the issue that took place in WP.30 during 2017.

36. The Working party also took note of the fact that the purpose of the convention corresponds to the Sustainable Development Goals on the development of transport infrastructure and improvement of the mobility of population between countries.

37. The delegation of the European Union, while expressing general support for efforts to facilitate rail transport throughout the Eurasian landmass, stated it reserved its position on the draft in the absence of a mandate by its member States.

38. At the same time, the Working Party took note of the fact that quite a number of the interested States of the Eurasian environment expressed the necessity of the new convention which would serve as a legal basis for future development of innovative rail connections between the countries of Europe and Asia and expressed their support for the text of the convention.

39. Taking account of the above stated and of the prescriptions of the road map adopted at the seventieth session of SC.2 and approved by the decision of the seventy-ninth session of ITC, the Working party asked WP.30 to take further steps towards finalizing the adoption of the draft convention for the purpose of submitting it for approval to ITC.

XII. Intelligent Transport Systems and other technological applications for Rail Transport (agenda item 11)

Documentation: ECE publication, Intelligent Transport Systems (ITS) for sustainable mobility (2012)

40. The Working Party recalled that this agenda item considers activities on the monitoring of ITS and other technological applications developments in rail transport and provides a platform for the exchange of information and best practices.

41. In line with the ECE road map for promoting the use of ITS that contains 20 global actions for 2012-2020 (ECE publication, ITS for sustainable mobility, 2012), and in particular in line with paragraph 7 of the ministerial resolution at ITC, the Working Party was updated on issues related to ITS and information technology in the railways. In particular, the Working Party was informed that the European Union has, in 2017, published its updated European Rail Traffic Management System deployment plan and work continues on interoperable ticketing systems and telematics applications. All these processes should help the sector increase its competitiveness and facilitate modal shift to rail.

42. The Working Party took note of developments in relation to ITS of relevance to the sector and, given the emphasis given to this subject within the ministerial resolution at ITC, asked that the 2018 workshop be focused on ITS in the railways.

XIII. Productivity in Rail Transport (agenda item 12)

Documentation: Informal document SC.2 No. 2 (2016), informal document SC.2 No. 3 (2017)

43. The Working Party recalled that at its last session it took note of the information provided by the secretariat on the revised and fine-tuned rail productivity indicators on the basis of government's comments, and approved as amended their revision, and reviewed the rail productivity indicators results as provided by railway undertaking (Informal document SC.2 No. 2 (2016)).

44. Following discussion at the seventieth session, the secretariat agreed to send the updated questionnaire to operators; the questionnaire was sent to member States in 2017. The responses to the questionnaire are included in informal document No. 3 (2017). The secretariat notes that only five responses have been received and encourages other member States to provide data. As a result of the limited number of responses, only the values that were provided were reproduced without detailed analysis. The Working Party recalled how important it was to continue working on the productivity indicators.

45. The Working Party took note of the responses that had been received from a number of member States on the productivity indicators and encouraged others to provide this information with an extension of the deadline to the end of January 2018.

XIV. Climate Change and Rail Transport (agenda item 13)

A. Group of Experts on Climate Change impacts and adaptation for transport networks and nodes

Documentation: ECE publication Climate Change Impacts and Adaptation for International Transport Networks

46. The secretariat informed the Working Party about the ECE publication and about the continuation of the work of the Group of Experts on Climate Change impacts and adaptation for transport networks and nodes.

B. Climate Change mitigation: Presentation of ECE ForFITS tool

47. The Working Party was informed by the secretariat about the developments in the For Future Inland Transport Systems (ForFITS) project during 2017, in particular the ForFITS runs undertaken for the Environmental Performance Review of Albania and for THE PEP relay race in Mannheim, Germany.

C. Diesel engine exhausts

Documentation: ECE publication "Diesel engine exhausts: Myths and realities"

48. No new information was provided on this agenda sub-item.

49. The Working Party took note of developments in relation to the consequences of climate change to the sector, asked that the secretariat continue providing information on this at the next session and agreed to remove sub-point (c) on Diesel engine exhausts from the agenda for future sessions.

XV. Railway Reform (agenda item 14)

50. This agenda item was discussed under agenda item 2.

XVI. Facilitation of international rail transport in the pan-European region (agenda item 15)

A. Facilitation of rail border crossings

51. The Working Party recalled that at the last session, it took note of the information provided by the secretariat and approved the action plan on possible implementation mechanisms of the provisions in the new Annex 9 to the “Harmonization Convention” for the facilitation of rail border crossings in the pan-European region. The secretariat emphasised the importance of carrying forward the work in understanding the effectiveness of Annex 9 in member States.

B. Harmonization of technical specifications on different railway systems

52. The Working Party took note of the information provided by the OSJD Committee on the harmonization of technical specifications on different railway systems based on the joint work they are carrying out with the European Union Agency for Railways (ERA).

53. The Working Party took note of the developments in relation to facilitation of international rail transport in the pan-European region and in the harmonization of technical specifications as provided by OSJD and the secretariat. The Working Party asked member States to share their best practice examples in implementing Annex 9 to the “Harmonization Convention”. The Working Party asked the secretariat to continue reporting on this at its next session in 2018.

XVII. Rail Review (agenda item 16)

Documentation: ECE/TRANS/SC.2/2013/7

54. The Working Party recalled that at its sixty-seventh session, it had approved the draft questionnaire on Rail Review to be sent to countries and rail authorities for the collection of the appropriate data. This questionnaire covers and brings together a number of areas within other agenda items in relation to, for example railway reform, productivity, PPPs and infrastructure. The Working Party noted that some data has been received in relation to productivity and a publication is planned with detailed information covering question 2 of the Rail Review questionnaire on reform.

55. The Working Party took note of developments in this area and asked the secretariat to send out the questionnaire on the remaining elements of the Rail Review to feed into a publication on this.

XVIII. Rail statistics (agenda item 17)

Documentation: ECE/TRANS/SC.2/2017/4

56. The Working Party recalled that it continues to work closely with the Working Party on Transport Statistics (WP.6) on rail issues, for example in relation to the development of

the productivity indicators. Most recently, WP.6 held a workshop focused on rail statistics, and the secretariat presented the findings of the workshop, as well as updating the Working Party on the main activities of WP.6 that were of relevance to SC.2.

57. The Working Party took note of developments in rail statistics and welcomed the renewed close cooperation with WP.6 and asked that the secretariat to continue providing information on this at the next session. The Working Party also asked WP.6 and OSJD to consider how best to cooperate on rail statistics going forward.

XIX. Group of Experts on Improving Safety at Level Crossings (agenda item 18)

Documentation: ECE/TRANS/WP.1/GE.1/17, ECE/TRANS/WP.1/GE.1/19, informal document SC.2 No. 5 (2016), ECE/TRANS/WP.1/2017/4

58. At its seventy-third session (1-3 March 2011, Geneva), ITC discussed the importance of addressing key issues of enhancing safety at level crossings. The Committee recommended that the Working Party on Road Traffic Safety, the Working Party on Road Transport and SC.2 consider creating a joint Group of Experts of a limited duration to work on enhancing safety at level crossings, drawing, where possible, on all relevant experience within other bodies, such as ERA (ECE/TRANS/221, para. 50).

59. The Working Party was informed by the secretariat that the work of the Group of Experts had been completed. The Chair and Vice-Chair of the Group of Experts were not able to attend the meeting and asked that discussions on this agenda item be postponed to the next session SC.2.

60. The Working Party noted that the final report of the Group of Experts had been completed, and asked that the Chair of the Group of Experts to present the findings of this report at the seventy-second session of SC.2 in November 2018.

XIX. Activities of the UNECE Inland Transport Committee and its subsidiary bodies (agenda item 19)

Documentation: ECE/TRANS/270

61. The Working Party took note of the information provided by the secretariat on the activities of ITC, its subsidiary bodies, on the ministerial meeting of February 2017, the ministerial resolution adopted at ITC and discussion on the ITC Strategy.

62. The Working Party welcomed the summary of the session of ITC provided by the secretariat and asked that the secretariat to provide a similar update at the next session of SC.2.

XX. Activities of the European Commission in rail transport (agenda item 20)

Documentation: Informal document SC.2 No. 5 (2017)

63. The Working Party was informed by the representative of European Union about its most recent developments (Informal document SC.2 No. 5 (2017)).

64. The Working Party took note of the information provided by the European Commission.

XXI. Activities of international organizations in rail transport (agenda item 21)

65. The Working Party was informed by Ms. I.P. Gries, the Head of the Legal Department of OTIF and Mr. V. Zhukov, the Deputy Director of OSJD about their activities in 2017.

66. The Working Party took note of the information provided by OTIF and OSJD under this agenda item.

XXII. Draft programme of work and biennial evaluation for 2018-2019 (agenda item 22)

Documentation: ECE/TRANS/SC.2/2017/5

67. The Working Party recalled that at its sixty-ninth session (23-25 November 2015, Geneva), it had approved, as amended, the draft programme of work and biennial evaluation for 2016 and 2017 (ECE/TRANS/SC.2/224, paras. 65-67). ITC has decided to no longer require the publication of the 4-year work plan. In accordance with the decision of ITC to review its programme of work every two years, the next period starting in 2018, the Working Party reviewed the draft programme of work for 2018-2019 and the relevant parameters for its biennial evaluation.

68. The secretariat explained the contents of the draft programme of work and the successes achieved by the Working Party in relation to biennial evaluation, in particular on the increased participation of member States and intergovernmental organizations, as well as the other targets.

69. The Working Party adopted the draft programme of work and biennial evaluation and asked that the secretariat to submit it to ITC for approval.

XXIII. Other business (agenda item 23)

70. No other business was reported.

XXIV. Date and venue of next session (agenda item 24)

71. The Working Party's seventy-second session is tentatively scheduled to take place in Geneva from 21 to 23 November 2018.

XXVI. Adoption of decisions (agenda item 25)

72. As agreed upon and in line with the Working Party's decision taken at its fifty-second session (TRANS/SC.2/190, para. 6), the Working Party ran through its main decisions during the session and the secretariat, in cooperation with the Chair and Vice-Chairs prepared the present report.

73. The Working Party agreed to the adoption of the decisions as discussed during the session and set out in informal document SC.2 No. 7 (2017).