



Economic and Social Council

Distr.: General
26 January 2011

Original: English

Economic Commission for Europe

Inland Transport Committee

Working Party on Rail Transport

Sixty-fourth session

Vienna, 18–19 November 2010

Report of the Working Party on Rail Transport on its sixty-fourth session

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I. Attendance

1. The Working Party on Rail Transport held its sixty-fourth session on 18 and 19 November 2010 in Vienna.
2. The session of the Working Party was attended by the following countries: Austria, Belgium, Bosnia and Herzegovina, Croatia, Czech Republic, France, Germany, Hungary, Kazakhstan, Kyrgyzstan, Netherlands, Norway, Poland, Romania, Russian Federation, Serbia, Slovakia, Slovenia, Turkey and Uzbekistan. A representative of the European Union (DG MOVE) was present.
3. The Organization for Security and Co-operation in Europe (OSCE), the Organization for Cooperation between Railways (OSJD) and the Intergovernmental Organization for International Carriage by Rail (OTIF) were represented. The following non-governmental organizations were represented: International Rail Transport Committee (CIT) and International Union of Railways (UIC). Representatives of the following organizations and industry groups attended by invitation of the secretariat: ERS Railways, Kazakh Research Institute for Transport and Communications, French National Railways (SNCF) and SAS-VH consortium.
4. In accordance with the decision taken at its sixty-third session (ECE/TRANS/SC.2/212, para. 25), the session was chaired by Mr. K. Kulesza (Poland).

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

5. The Working Party adopted the provisional agenda prepared by the secretariat (ECE/TRANS/SC.2/213).

III. European Agreement on Main International Railway Lines (AGC Agreement) (agenda item 2)

A. Status of the AGC Agreement and adopted amendment proposals

Documentation: ECE/TRANS/63/Rev.1

6. At present, the AGC Agreement has 27 Contracting Parties.² Detailed information on the AGC Agreement, including the up-to-date and consolidated text of the Agreement (ECE/TRANS/63/Rev.1), a map of the AGC network, an inventory of minimum standards stipulated in the Agreement as well as all relevant Depositary Notifications are available on the website of the Working Party.³
7. The Working Party noted that amendment proposals to annex I to the AGC Agreement, adopted at the sixty-third session of the Working Party

¹ All informal documents and presentations made at the session are available on the following website: www.unece.org/trans/main/sc2/sc2.html.

² Albania; Austria; Belarus; Belgium; Bosnia and Herzegovina; Bulgaria; Croatia; Czech Republic; France; Germany; Greece; Hungary; Italy; Latvia; Lithuania; Luxembourg; Republic of Moldova; Montenegro; Poland; Romania; Russian Federation; Serbia; Slovakia; Slovenia; the former Yugoslav Republic of Macedonia; Turkey and Ukraine.

³ www.unece.org/trans/main/sc2/sc2_AGC_text.html.

(ECE/TRANS/SC.2/212, para. 4) which update and extend the geographical scope of the AGC network.⁴ Unless an objection is registered, these amendments will enter into force in September 2011.

8. The Working Party reiterated its invitation to the United Nations Economic Commission for Europe (UNECE) member States to become Contracting Parties to the AGC Agreement and requested the secretariat to take actions, as appropriate.

9. The Working Party welcomed the web tool developed by the UNECE secretariat to monitor the AGC network and its infrastructure standards.⁵ It invited the UNECE secretariat to further develop this online monitoring system.

B. Amendment proposals (updating and extension of the AGC network)

Documentation: ECE/TRANS/SC.2/2009/1

10. The Working Party was informed of the status of amendment proposals already considered at its sixty-third session as contained in document ECE/TRANS/SC.2/2009/1 relating to Denmark, Germany and Sweden (ECE/TRANS/SC.2/212, para. 4).

11. The Working Party decided to await the outcome of the consultations among Denmark, Germany and Sweden on realignment of AGC railway lines between these countries. Appropriate amendment proposals will be considered and Contracting Parties to the AGC Agreement will possibly adopt such amendment proposals at its next session in accordance with the provisions of the AGC Agreement.

12. The Working Party invited the Working Party on Intermodal Transport and Logistics (WP.24), responsible for the administration of the AGTC Agreement, to review the list of border crossing points contained in the AGTC Agreement (Annex II, B.) and to replace the reference to railway undertakings by a reference to rail infrastructure managers or, simply, to countries concerned.

C. Amendment proposals (minimum infrastructure and performance standards)

Documentation: ECE/TRANS/SC.2/2010/1

13. As requested by WP.24, the secretariat has solicited the views of rail infrastructure managers on the validity of the technical characteristics of railway lines as stipulated in the annexes to the AGC and AGTC Agreements. The secretariat has also reviewed mandatory and proposed technical interoperability standards applicable in the European Union (EU) and in other UNECE member countries, including those contained in the Intergovernmental Agreement on the Trans-Asian Railway Network (TAR) developed under the auspices of the United Nations Economic and Social Commission for Asia and the Pacific (ESCAP).

14. The Working Party reviewed the minimum infrastructure parameters of the AGC Agreement as contained in document ECE/TRANS/SC.2/2010/1. It expressed the view that the main objective of the AGC Agreement was not necessarily establishing technical interoperability among railway systems at the pan-European level, but establishing a coordinated plan for the development and construction of railway lines of major

⁴ On 8 December 2010 the Secretary-General of the United Nations has issued depositary notification C.N.711.2010.TREATIES-1.

⁵ <http://unece.unog.ch/wp24/agtc.aspx>.

international importance (article 1 of AGC Agreement), with focus on Euro-Asian transport links via the Russian Federation, Central Asia and Turkey.

15. The Working Party felt that, before embarking on an enlargement of the existing parameters which, according to a survey undertaken by the secretariat, are to a large extent still applicable and up-to-date, efforts had to be made to ensure application of these parameters in as many UNECE countries as possible. The online monitoring tool on the application of the AGC and AGTC parameters, developed by the UNECE secretariat, could provide transparency and assistance in this respect.

16. The Working Party stressed that any new rail infrastructure parameters to be included into the AGC Agreement should be in line with existing or planned parameters applicable within the EU, OSJD and OTIF member States.

17. The Working Party invited UNECE member countries, Contracting Parties to the AGC Agreement as well as competent international organizations, such as OSJD and OTIF, to transmit to the secretariat, before 1 March 2011, written comments on the suitability of the minimum infrastructure parameters in the AGC and AGTC Agreements, taking account document ECE/TRANS/SC.2/2010/1.

18. The secretariat was invited to continue its work on preparing possible amendments to the existing and introducing new minimum infrastructure standards in the AGC Agreement, possibly with the assistance of an informal Group of Experts in cooperation with WP.24 responsible for the AGTC Agreement. The Working Party would review this work and take appropriate decisions at its next session.

IV. Task Force on Rail Security (agenda item 3)

Documentation: Informal document SC.2 No. 1 (2010)

19. The Chair of the Task Force on Rail Security informed delegates about follow-up activities related to the recommendations specified in the report on rail security (Informal document SC.2 No. 1 (2009)) that had been considered at the sixty-third session of the Working Party (ECE/TRANS/SC.2/212, para. 6). The Working Party also took note of comments on the Task Force report submitted by the Turkish State Railways (Informal document SC.2 No. 1 (2010)).

20. The Working Party appreciated the progress report made by the Chair of the Task Force and stressed the importance of this subject. It decided to review its activities and further work on this subject following the conclusion of the UNECE Inland Transport Security Discussion Forum to be held on 31 January 2011 at Geneva.

V. Trans-European Railway Project (TER) (agenda item 4)

Documentation: ECE/TRANS/SC.2/2010/2

21. The Working Party was informed by the project manager of the Trans-European Railway project (TER) about activities undertaken in 2010 (ECE/TRANS/SC.2/2010/2).

22. The Working Party appreciated the report on the implementation of past and planned TER activities relating in particular to the revision of the TER and TEM Masterplan, and invited TER to provide an update of new activities at its next session.

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

Documentation: Informal document SC.2 No. 2 (2010)

23. In accordance with the decision at its sixty-third session, the Working Party considered new developments on Euro-Asian rail transport corridors, including the Trans-Siberian railway line (ECE/TRANS/SC.2/212, para. 8).

24. The Working Party appreciated the presentations on latest commercial achievements in Euro-Asian rail transport made by ERS Railways and on comparisons between land and maritime container transport charges between Asia and Europe (Informal document SC.2 No. 2 (2010)). The Working Party invited countries, international organizations and the Euro-Asian Transport Links (EATL) Project to continue reporting on new studies and operational experiences as well as best practices. The secretariat was requested to continue monitoring new developments in this field in order to increase transparency on opportunities and challenges.

VII. Passenger accessibility of heavy rail systems (agenda item 6)

25. The Working Party considered follow-up activities to the policy statement on passenger accessibility of heavy rail systems that had been adopted at its sixty-third session (ECE/TRANS/SC.2/212, paras. 22–24 and Annex III). This policy statement was subsequently endorsed by the Inland Transport Committee (ITC) (ECE/TRANS/208, para. 99).

26. The Working Party appreciated the presentation made by the French SAS-VH consortium, which showed that technological progress has allowed developing fully automated ramps and access systems independent of rolling stock used and height and distance to platforms. The Working Party felt that such technical systems should be harmonized between EU and non-EU railways so that the goal of seamless rail travel for persons with reduced mobility and for the older population in general would become a reality.

27. The Working Party agreed to continue its monitoring of new developments in this field and to provide a platform for the exchange of information on new technologies and best practices in its endeavour to increase passenger accessibility of European railways.

VIII. Productivity in rail transport (agenda item 7)

28. The Working Party recalled that in 2000 it had adopted a set of 10 rail productivity indicators relating to:

- (a) Labour productivity
- (b) Productivity of freight and passenger rail transport
- (c) Productivity of traffic
- (d) Productivity of locomotives, wagons and lines
- (e) Energy consumption for traction (TRANS/SC.2/194, para. 23).

29. In accordance with the decision at its sixty-second session (ECE/TRANS/SC.2/210, para. 24), the Working Party considered a secretariat report (available at the session) on rail productivity in the ECE region on the basis of raw data provided by UIC.

30. Following a discussion on this first attempt to provide a comparative analysis of rail productivity indicators, the Working Party decided not to publish, for the time being, these data due to a number of conceptual and statistical problems that would still need to be resolved in order to allow meaningful comparisons over time, between railway systems in countries of the ECE region. The secretariat was requested to further analyse the available data and provide for estimates where data are missing. At its next session, the Working Party would revert to this issue and decide on possible follow-up action.

IX. Towards unified railway law in the pan-European region and along Euro-Asian transport corridors (agenda item 8)

Documentation: Informal document SC.2 No. 8 FINAL (2010), ECE/TRANS/2011/3

31. The Working Party noted that the informal Group of Experts on Unified Railway Law held three sessions in 2010 (Geneva, 26 March 2010; St. Petersburg, 8 July 2010; Geneva, 16 September 2010). Following in-depth considerations, it agreed to focus its work on harmonized rules for contracts on the international carriage of goods by rail in the pan-European region and along important Euro-Asian transport corridors.

32. As mandated, the Group of Experts has finalized its work by preparing a position paper on the possibilities of harmonizing or unifying, in the short and long-term, railway law in the pan-European region and along Euro-Asian transport corridors, based on lessons learned and regulations applicable to other modes of transport (Informal document SC.2 No. 8 FINAL (2010)).

33. The Working Party expressed its appreciation for the work carried out by the Group of Experts. It congratulated its Chair Mr. Erik Evtimov for the excellent work undertaken in a short period of time that had led to a common understanding on the issues at stake and the strategy to be followed. The position paper described a vision and strategy on how to overcome problems in international railway law at the pan-European and Euro-Asian level.

34. The Working Party adopted the position paper with a number of minor modifications. The adopted text of the position paper is contained in document ECE/TRANS/2011/3. The Working Party decided to transmit this document to the UNECE Inland Transport Committee with the understanding that the short-term actions under step (a) relating to general terms and conditions for Euro-Asian rail transport contracts (paras. 28–38) should be launched. Further activities relating to steps (b) and (c) (paras. 39–45) will be reviewed by the Working Party at a later stage in light of progress achieved. The Inland Transport Committee should decide on the implementation of steps (b) and (c) following completion of step (a).

35. The Working Party requested the secretariat to prepare adequate Terms of Reference (ToR) for a new UNECE Group of Experts to be established in accordance with the provisions and time-frame provided in the position paper under step (a). The secretariat was also requested to invite, already at this stage, OSJD, OTIF and CIT to cooperate and work in parallel with the newly to be established UNECE Group of Experts and to prepare “General terms and conditions for Euro-Asian rail transport contracts”.

36. The Working Party invited the Inland Transport Committee to approve the position paper of the Working Party as well as the establishment of a Group of Experts with the ToR contained in document ECE/TRANS/2011/3.

37. At its next session, the Working Party would review the activities and the draft MoU or similar instrument to be prepared by the Group of Experts as well as the underlying contractual general terms and conditions with a view to its opening for signature at the session of the Inland Transport Committee in early 2012.

38. The Working Party invited interested country and industry delegations to participate constructively in the work of the UNECE Group of Experts in order to achieve in time the objectives described in the position paper.

X. Facilitation of international rail transport in the pan-European region (agenda item 9)

A. Facilitation of rail border crossings

39. The Working Party recalled that the ITC in early 2006 had supported three strategic elements to improve border-crossing procedures in pan-European rail transport (ECE/TRANS/166, para. 96). In addition to a unified railway law (see paras. 31–38 above), these included a unified rail Customs transit system, similar to the TIR regime for road transport, as well as internationally coordinated and mutually recognized border control procedures in rail transport.

40. Progress has been made towards a unified rail Customs transit system through the preparation, in 2006, of a Convention on International Customs Transit Procedures for Carriage by Rail under Cover of SMGS Consignment Notes (SMGS Customs Transit Convention). Harmonization of rail border controls has also been advanced through the adoption, on 27 May 2010, of a new Annex 9 to the International Convention on the Harmonization of Frontier Controls of Goods (1982) (Harmonization Convention)⁶ (ECE/TRANS/WP.30/AC.3/18; ECE/TRANS/WP.30/AC.3/2010/1).

41. The Working Party welcomed progress made in the preparation of the new Annex 9 to the Harmonization Convention and encouraged all SMGS countries to accede to the SMGS Customs Transit Convention as soon as possible. The secretariat was invited to undertake necessary action, such as transmission of official letters, to assist Governments in this undertaking.

B. Harmonization of technical specifications of different railway systems

42. The Working Party took note of a report by the OSJD on cooperation with the European Railway Agency to improve technical interoperability between the 1,435 mm standard and 1,520 mm broad gauge railway systems. It invited OSJD to continue its activities in this field and to report on progress made at the next session of the Working Party.

C. Harmonization of administrative and legal requirements of different railway systems

43. The Working Party welcomed the increasing application and use of the common CIM/SMGS consignment note. This success showed that there was a clear need by the industry for harmonized and standard legal and contractual conditions for pan-European and Euro-Asian freight rail transport. The Working Party stressed its continued support for these joint activities of CIT and OSJD by harmonizing the legal conditions for the application of standard railway contracts at the pan-European level.

⁶ www.unece.org/trans/bcf/ac3/documents/ECE-TRANS-WP30-AC3-18e.pdf.

44. The Working Party also welcomed the first session of the OTIF Rail Transport Facilitation Committee convened on 16 November 2010 and requested the secretariat to continue to participate in the activities of this Committee.

XI. European Commission (DG MOVE) (agenda item 10)

45. In line with standard practice, the Working Party was informed in detail about recent activities and plans for future work of the European Commission (DG Move) relating to rail transport.

46. The Working Party expressed its appreciation to the European Commission for an excellent presentation of its activities relating in particular to a European rail network for competitive freight and to the results of the 2010 survey on rail services in the EU.

XII. United Nations Economic Commission for Europe (UNECE) (agenda item 11)

Documentation: ECE/TRANS/208

47. The Working Party noted that ITC had approved its programme of work for 2010-2014. It also took note of information on other rail related work of UNECE, including activities under the Euro-Asian Transport Linkages Project (EATL), WP.24 and the pan-European 2010 rail traffic census programme. The secretariat was requested to continue to provide such information at future sessions.

XIII. Other international organizations (agenda item 12)

48. The Working Party took note of information on current and future activities provided by OSJD, OTIF, CIT and UIC and agreed to continue to provide a platform for exchanging such information in the future.

XIV. Other business (agenda item 13)

49. The Working Party expressed its appreciation to the Government of Austria and OSCE for hosting this session of the Working Party at the Hofburg Conference Center in Vienna under excellent conditions.

XV. Date of next session (agenda item 14)

50. The Working Party noted that its next session was tentatively scheduled to be held on 3 and 4 November 2011 at Geneva. This session would be held back-to-back or partly together with WP.24 to consider issues of common interest, such as “the role of terminals”, which is the theme for substantive WP.24 discussions in 2011.

51. The 2011 sessions of the newly to be established UNECE Group of Experts towards Unified Railway Law will be scheduled following a decision by the Inland Transport Committee in March 2011 (two meetings are planned to be held at Geneva, possibly on 6 May 2011 and 16 September 2011).

XVI. Summary of decisions (agenda item 15)

52. As agreed upon and in line with the Working Party's decision taken at its fifty-second session (ECE/TRANS/SC.2/190, para. 6), the secretariat, in cooperation with the Chair and Vice-Chair and in consultation with delegates, has prepared a summary of decisions and the present report.
