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Economic Commission for Europe**Inland Transport Committee****Working Party on Rail Transport****Group of Experts towards Unified Railway Law****Second session**

Geneva, 16 September 2011

Item 1 of the provisional agenda

Adoption of the agenda**Annotated provisional agenda for the second session^{1, 2}**To be held at the Palais des Nations, Geneva
starting at 09.30 a.m. on Friday, 16 September 2011**I. Provisional agenda**

1. Adoption of the agenda.
2. Adoption of the report of the first session.
3. Latest developments in international railway law.

¹ Delegates are requested to complete the registration form available for download at the UNECE Transport Division's website www.unece.org/trans/registfr.html. It should be transmitted to the UNECE secretariat no later than one week prior to the session by e-mail (sc.2@unece.org) or by fax (+41 22 917 0039). Upon arrival at the Palais des Nations, delegates should obtain an identification badge at the UNOG Security and Safety Section, located at the Pregny Gate (14, Avenue de la Paix). In case of difficulty, please contact the secretariat by telephone (ext. 740 30 or 734 57). For a map of the Palais des Nations and other useful information, see website www.unece.org/meetings/practical.htm.

² For reasons of economy, delegates are requested to bring copies of all relevant documents to the session. There will be no documentation available in the conference room. Before the session, documents may be downloaded from the UNECE Transport Division's website www.unece.org/trans/main/sc2/sc2.html. On an exceptional basis, documents may also be obtained by e-mail (sc.2@unece.org) or by fax (+41 22-917 0039). During the session, official documents may be obtained from the UNOG Documents Distribution Section (Room C.337, third floor, Palais des Nations).

4. Review of work on General Terms and Conditions for Euro-Asian transport contracts (GTC EurAsia).
5. Negotiation of an Inter-Governmental Document (IGD EurAsia):
 - (a) Preamble;
 - (b) Substantial provisions;
 - (c) Final provisions;
 - (d) Acknowledgment and signatures.
6. Experiences with rail operations in the pan-European region and along Euro-Asian transport corridors.
7. Other business.
8. Date of next session(s).
9. Summary of decisions.

II. Annotations

1. Adoption of the agenda

The first item to be considered is the adoption of the agenda (ECE/TRANS/SC.2/GEURL/2011/5).

Documentation

ECE/TRANS/SC.2/GEURL/2011/5

2. Adoption of the report of the first session

The Group of Expert will formally adopt the report of its first session held on 6 May 2011.

Documentation

ECE/TRANS/SC.2/GEURL/2011/4

3. Latest developments in international railway law

The Group of Experts may wish to be informed about recent activities and plans for future work in the field of national, regional and international railway law by Governments, the European Commission (DG Move), international organizations and the industry.

4. Review of work on General Terms and Conditions for Euro-Asian transport contracts (GTC EurAsia)

In line with the United Nations Economic Commission for Europe (UNECE) position paper towards unified railway law for Euro-Asian transport corridors (ECE/TRANS/2011/3 and Corr.1) and the work plan of the UNECE Group of Experts adopted at its first session (ECE/TRANS/SC.2/GEURL/2011/4, para. 9), the Group of Experts may wish to review the work on GTC EurAsia undertaken by railway experts under the auspices of OSJD and

International Rail Transport Committee (CIT) in cooperation with Intergovernmental Organization for International Carriage by Rail (OTIF).

5. Negotiation of an Inter-Governmental Document (IGD EurAsia)

The Group of Experts is invited to consider a draft Inter-Governmental Document (IGD EurAsia) prepared by the secretariat in accordance with the decisions made at the first session (ECE/TRANS/SC.2/GEURL/2011/4, paras. 19–37) and consultations with members of the Group of Experts.

IGD EurAsia will not constitute mandatory law, but will provide the policy framework for GTC EurAsia and underline the political support of concerned Governments for the acceptance as well as correct and transparent use of international rail transport contracts in the pan-European region and along Euro-Asian transport corridors as prepared and utilized by the railway industry (ECE/TRANS/SC.2/GEURL/2011/2, para. 2).

The draft IGD EurAsia will be contained in secretariat document ECE/TRANS/SC.2/GEURL/2011/6.

In line with the structure, agreed upon at the first session of the Group of Experts (ECE/TRANS/SC.2/GEURL/2011/4, para. 21), the following elements of IGD EurAsia should be considered approved:

(a) Preamble

The Group of Expert may wish to consider and approve the draft preamble of IGD EurAsia, taking into account relevant decisions taken at the first session (ECE/TRANS/SC.2/GEURL/2011/4, paras. 22–24).

(b) Substantial provisions

The Group of Expert may wish to consider and approve the draft substantial provisions of IGD EurAsia, taking into account relevant decisions reached at the first session (ECE/TRANS/SC.2/GEURL/2011/4, paras. 25–31) and progress made by the railway industry on GTC EurAsia.

As agreed earlier, substantial provisions of IGD EurAsia should include policy statements on GTC EurAsia as well as economic and operational provisions on the facilitation of Euro-Asian rail transport. Legal provisions should not be addressed explicitly in IGD EurAsia. Rather, appropriate references should be made to the underlying GTC EurAsia and to the general issues addressed therein.

(c) Final provisions

The Group of Expert may wish to consider and approve the final provisions of the IGD EurAsia containing monitoring and review provisions.

(d) Acknowledgment and signatures

Based on the draft prepared by the secretariat, the Group of Expert is invited to issue a recommendation on the proper procedure for signing and/or formalizing IGD EurAsia as well as the draft list of expected signatories. The Group of Experts is also invited to take a decision on the most appropriate designation and the full title of the document among the options presented in the secretariat draft.

Documentation

ECE/TRANS/SC.2/GEURL/2011/6

6. Experiences with rail operations in the pan-European region and along Euro-Asian transport corridors

The Group of Experts may wish to exchange information on latest experiences with rail transport operations in the pan-European region and along Euro-Asian transport corridors. Railway undertakings are invited to provide short reports on recent experiences and challenges faced during such long-distance transport operations.

7. Other business

At present, there are no proposals under this item. Proposals should be transmitted to the UNECE secretariat (sc.2@unece.org).

8. Date of next session(s)

The next session of the UNECE Working Party on Rail Transport (SC.2) will be held at Geneva on 3 and 4 November 2011. In line with the adopted work plan, IGD EurAsia is planned to be adopted at this session for transmission to the UNECE Inland Transport Committee.

The next session of the UNECE Inland Transport Committee (ITC) is planned to be held from 28 February to 1 March 2012.

9. Summary of decisions

In accordance with established practice, the Chair will make a brief summary of the decisions taken. Following the session, the UNECE secretariat, in cooperation with the Chair and Vice-Chair, will establish a report on the outcome of the session.
