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Strategic questions of a modal and thematic nature:

Rail transport

Revised Terms of Reference of the ECE Group of Experts towards Unified Railway Law

Note by the secretariat

Summary

This note provides the terms of reference for the Group of Experts on Unified Railway Law in order to continue its work and deliberations for other two years.

The Committee may wish to approve these terms of reference, deciding on one of the proposed options, and therefore the extension of the mandate of the group for other two years.

I. Scope of issues and achievements expected

1. In line with the Joint Declaration on Euro-Asian Rail Transport and Activities towards Unified Railway Law, signed at the ECE Ministerial Meeting “Making the Euro-Asian Transport Network Operational” on 26 February 2013, as well as with the draft legal provisions towards Unified Railway Law prepared by the Group of Experts, the Group during this phase will focus its work on the following issues:

(a) Monitor the finalization of necessary documents in order to perform international rail transport under the unified railway law including a standard model for the consignment note for the new provisions and its manual;

(b) Monitor the performance of a substantial number of real pilot tests to be carried out by the railway companies involved in the Group along the corridors agreed and along other corridors if proposed by governments in order to ensure the operational validity and effectiveness of the legal provisions prepared;

(c) Draft a document (or systems of documents) on Unified Railway Law which could be adopted as a legally binding instrument; the document (or systems of documents) shall:

(i) take into account the draft legal provisions on the contract of carriage already prepared;

(ii) include the necessary formal provisions such as depository, management, secretariat, administrative committee, amending procedures, voting rights, etc.;

(iii) be structured in a way which allows to easily supplement it with provisions on other issues related to international rail freight transport where the Group considers it appropriate to do so;

(d) Discuss other relevant issues related to international rail freight transport with a view to adding, where appropriate, provisions to the document referred to at (c); these issues may include:

(i) Common Provisions on dangerous goods;

(ii) Common provisions on the use of freight wagons;

(iii) Common provisions on rail infrastructure;

(iv) Common provisions on rolling stock.

II. Methods of work

2. The Group of Experts will be established and function in accordance with the ECE guidelines for teams of specialists approved by the Executive Committee of ECE 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.

3. The Group of Experts is expected to meet twice in 2018, and at least three times in 2019 at the Palais des Nations in Geneva, before concluding its activities with the transmission of a report to the Working Party on Rail Transport at its seventy-third session (November 2019, Geneva). This report shall also contain proposals for monitoring procedures and follow-up activities.

4. Translation of documents and simultaneous interpretation of its sessions in English, French, and Russian shall be provided by United Nations services (UNOG) for the sessions held at the Palais des Nations in Geneva.

5. Participation in the Group of Experts is open to all concerned United Nations member countries and experts. Concerned intergovernmental and non-governmental organizations, concerned railway companies, freight and forwarding industries are invited to participate and provide expert advice in compliance with United Nations rules and practices.

III. Secretariat

6. ECE will provide secretariat services for the Group of Experts and shall ensure close cooperation with all stakeholders, including the European Commission, the Intergovernmental Organization for International Carriage by Rail (OTIF), the Organization for Cooperation between Railways (OSJD), the International Rail Transport Committee (CIT) and concerned regional commission of the United Nations, ESCAP.