

Working Party on Rail Transport (SC.2)
Seventy-sixth session
Geneva, 16-18 November 2022

Items for decision under silence procedure

Decisions submitted to silence procedure following the formal session of SC.2 with remote participation

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SC.2	Seventy-sixth session 16–18 November 2022	1	1	https://unece.org/sites/default/files/2022-10/ECE-TRANS-SC2-237e.pdf	The Working Party adopted the revised agenda as contained in ECE/TRANS/SC.2/237.
		1	2		The Working Party regretted that its current session suffered from a considerable reduction in the allocation of the conference service by the United Nations Office in Geneva versus the previously accepted service level. SC.2 stressed the importance the official intergovernmental deliberations have to the promotion of railway transport and to increasing sustainability in countries of the ECE region. To this end, SC.2 expressed dissatisfaction that the cuts impacted its deliberations. It expressed a hope that such situation would not be repeated in the future.
		2	3		<p>SC.2 decided as follows on the way forward to the development of the URL:</p> <ul style="list-style-type: none"> - SC.2 commended the Chair and the secretariat for managing the consultations of ECE Member States and other stakeholders such as OSJD and OTIF, as agreed upon at its seventy-fifth session. - SC.2 took note of the results of the consultations presented in document ECE/TRANS/SC.2/2022/3, in particular of the fact that an overwhelming majority of the respondents advocated developing Unified Railway Law through Approach A (as described in paragraph 3 of that document). SC.2 recalled that Approach A envisages the creation of unified rules for rail transport on Euro-Asian corridors in areas where they are urgently needed by the industry – i.e. the contract of carriage – while leaving unaffected the two existing rail organizations and the legal rules applicable for the transport of goods within their respective territories (interface law). It aims to fill a gap in international rail regulations where neither CIM nor SMGS rules apply over the entire journey. - Against this background, SC.2 decided to select Approach A for the development of Unified Railway Law, and therefore decided to finalise the text of the Convention on the contract for international carriage of goods by rail on the basis of the draft text reproduced in the Note issued by the Secretariat “Convention on the

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					<p>contract for international carriage of goods by rail as a first Convention of a system of Unified Railway Law Conventions” (document ECE/TRANS/SC.2/GEURL/2021/3). Issues to address should include:</p> <p>(i) whether to include provisions on negotiable documents based on those contained in the Note; and</p> <p>(ii) provisions for an appropriate management system.</p> <p>- The process of finalization shall be managed by the Chair with support of the secretariat.</p>
		3	4	https://unece.org/sites/default/files/2022-09/ECE-TRANS-SC.2-2022-3e_0.pdf	The Working Party welcomed discussions at the Workshop “The impact of climate change on the railways: how to protect, adapt and mitigate” and requested that the secretariat prepare a summary document of the workshop in order to continue discussion on this topic at future sessions of the Working Party.
		4	5	https://unece.org/sites/default/files/2022-08/ECE-TRANS-SC.2-2022-1e.pdf	The Working Party agreed to the Draft Rules of Procedure for the Working Party on Rail Transport as set out in ECE/TRANS/SC.2/2022/1 and amended during the session and requested that they are submitted to the Inland Transport Committee for adoption.
		4	6	https://unece.org/sites/default/files/2022-09/ECE-TRANS-SC.2-2022-2e.pdf	The Working Party noted that it had already aligned its Terms of Reference to those of ITC and to the ITC Strategy to 2030 at its seventy-fourth session. It noted that ECE/TRANS/SC.2/2022/2 contained these Terms of Reference and had only been updated to reflect the new Rules of Procedure for the Working Party as included in ECE/TRANS/SC.2/2022/1. As such, it agreed to the new Terms of Reference, as amended during the session, and requested that they are submitted to ITC for approval.
		5	7		The Working Party welcomed the updated information on the AGC including on accession and additional steps taken in the modernisation of the Agreement.
		5	8	https://unece.org/sites/default/files/2022-10/ECE-TRANS-SC.2-2022-12e.pdf	The Working Party noted that the amendments agreed in ECE/TRANS/SC.2/2021/1 had been notified to the depository and that they would enter into force in November 2022 as no objections had been received. It asked the secretariat to send the amendments included in ECE/TRANS/SC.2/2022/12 to the depository.
		6	9	https://unece.org/sites/default/files/2022-09/ECE-TRANS-SC.2-2022-7e_0.pdf https://unece.org/sites/default/files/2022-09/ECE-TRANS-SC.2-2022-7e_0.pdf	The Working Party thanked the Group of Experts on the Permanent Identification of Railway Rolling Stock for their hard work and for their proposals as set out in ECE/TRANS/SC.2/2022/4. The Working Party agreed to the creation of the Model Rules for the Permanent Identification of Railway Rolling Stock as set out in

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				022-08/ECE-TRANS-SC.2-2022-6e.pdf https://unece.org/sites/default/files/2022-09/ECE-TRANS-SC.2-2022-5e.pdf https://unece.org/sites/default/files/2022-08/ECE-TRANS-SC.2-2022-4e.pdf	<p>ECE/TRANS/SC.2/2022/5 and asked that they be submitted to ITC for adoption. In support of the creation of the Model Rules, the Working Party also agreed to the request for the creation of a Revisions Committee for the Model Rules and recommends it to ITC for approval and requested that the Terms of Reference for the Revisions Committee set out in ECE/TRANS/SC.2/2022/6 be submitted to ITC for adoption. The Working Party agreed to the first version of the Guidance Notes as set out in ECE/TRANS/SC.2/2022/7 and asked that Revisions Committee keep this document updated once the Revisions Committee has been established. Finally, the Working Party asked that the adopted Model Rules and the draft Guidance Notes are published in three languages and made available on the UNECE website.</p> <p>The Working Party also agreed that the entities identified in paragraph 12 of ECE/TRANS/SC.2/2022/4 should be included as members of the Revisions Committee</p>
		7	10	https://unece.org/sites/default/files/2022-08/ECE-TRANS-SC.2-2022-8e.pdf	<p>The Working Party thanked the Group of Experts on International Railway Passenger Hubs for their efforts and asked that a report on the completion of its activities is submitted to the Working Party for its next session in 2023.</p>
		7	11		<p>The Working Party also welcomed the publication of the study “Railways at the centre of a post-pandemic recovery: Measures to support international rail carriers” based on the information provided by the Group and in the Workshop held at the seventy-fifth session of the Working party titled “Railways at the centre of a post-pandemic recovery: Measures to support international rail carriers”.</p>
		8	12		<p>The Working Party noted that the developments in EATL and the completion of the SITCIN.</p>
		9	13	https://unece.org/sites/default/files/2022-08/ECE-TRANS-SC.2-2022-9e.pdf	<p>The Working Party took note of the information provided by the TER project manager and welcomed the continued progress on the delivery of its mandate.</p>
		10	14		<p>The Working Party invited delegates to present their developments under this agenda item at future meetings.</p>
		11	15		<p>The Working Party thanked UIC for its intervention and requested that the secretariat keep it updated on developments in this area and on the UNECE rail security observatory at future meetings.</p>

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		12	16		<p>The Working Party noted the completion of the AGC/AGTC tool and asked the secretariat disseminate it to ensure that it can be used effectively.</p> <p>The Working Party also noted developments in the INTERTRAN project.</p>
		13	17		<p>The Working Party asked the secretariat to renew its data gathering on productivity in rail transport in 2023 and prepare a document with the results for the next annual session of the Working Party.</p>
		14	18		<p>The Working Party thanked the secretariat for the updates on climate change and rail transport and asked that it be updated on this at future meetings.</p> <p>The Working Party also asked the secretariat to circulate the survey prepared by the Group of Experts on Climate Change Impacts to SC.2 focal points.</p>
		15	19		<p>Draft Decision: The Working Party thanked Albanian Railways for its update on railway reform and reminded member States that they may want to update participants on similar work in respective countries at future meetings.</p>
		16(a)	20	https://unece.org/sites/default/files/2022-09/ECE-TRANS-SC.2-2022-10e_0.pdf	<p>The Working Party thanked member States for responding to the survey and noted the results of the survey.</p>
		16(b)	21		<p>The Working Party noted that the joint work of OSJD and ERA had temporarily paused and asked the two bodies to update it on developments at future meetings.</p>
		17	22		<p>The Working Party noted the developments in rail statistics as set out by the secretary of WP.6 and asked that the secretariat is kept informed at future sessions of SC.2.</p>
		18	23		<p>The Working Party welcomed progress in the ongoing preliminary work in the updating of the CTU Code and asked that the secretariat is kept informed on this and other safety related issues at future sessions of SC.2.</p>
		19	24	https://unece.org/sites/default/files/2022-08/ECE-TRANS-SC.2-2022-11e.pdf	<p>The Working Party noted the response to the ITC Chair prepared in document ECE/TRANS/SC.2/2022/11 and asked that it be sent to the relevant ITC focal points. It also welcomed the creation of the LearnITC elearning platform and recommended that member States, and other interested stakeholders register and take the courses available.</p>
		20	25		<p>The Working Party noted the update provided by the European Commission.</p>

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		21	26		The Working Party thanked OTIF and OSJD for their interventions.
		23	27		The Working Party confirmed the dates of 15 to 17 November 2023 for the next session of SC.2 noting that, for the moment, only in person participation will be allowed for during this meeting.
		24	28		The Working Party adopted its list of decisions which, in accordance with the decision of ECE Executive Committee at its meeting on 5 October 2020 need to undergo a 72 hours silence period, which would be notified to all Permanent Missions in Geneva by the office of the ECE Chef de Cabinet. The decisions would be adopted with the unbroken closure of the silence procedure.