



Economic Commission for Europe
Inland Transport Committee
Working Party on Rail Transport
**Revisions Committee to the Model Rules on
the Permanent Identification of Railway Rolling Stock**
Second session

Geneva, 2–4 September 2024

Item 10 of the provisional agenda

Summary of decisions and reading of the draft report
**Report of the second session of the Revisions Committee to
the Model Rules on the Permanent Identification of Railway
Rolling Stock**
Contents

	<i>Paragraphs</i>	<i>Page</i>
I. Attendance.....	1–4	3
II. Adoption of the agenda (agenda item 1)	5	3
III. Election of Officers (agenda item 2)	6	3
IV. Update on the Luxembourg Rail Protocol (agenda item 3)	7–9	3
V. Model Rules on the Permanent Identification of Railway Rolling Stock (agenda item 4)	10–16	4
A. Implementation.....	10–12	4
B. Amendment proposals	13–16	4
VI. Workshop on the role of PPPs in the financing of investment in the railways (agenda item 5)	17–18	5
VII. Workshop on integrating the URVIS number into digital solutions (agenda item 6).....	19–21	5
VIII. Preparation, publication and revision of guidance and support documents (agenda item 7).....	22–24	5
IX. Other business (agenda item 8)	25	6
X. Date of next session (agenda item 9).....	26	6
XI. Summary of decisions and reading of the draft report (agenda item 10)	27	6
Annex I Proposed Amendments to Revision 1 of the Model Rules as agreed by the Revisions Committee.....		7

Annex II Informal Group of Experts on the application of digital solutions
to the marking of the URVIS identifier 8

Annex III Additions to the Guidance Notes on the Model Rules
on the Permanent Identification of Railway Rolling Stock 10

I. Attendance

1. The Revisions Committee to the Model Rules on the Permanent Identification of Railway Rolling Stock (the Revisions Committee) held its second session from 2 to 4 September 2024 in the Palais des Nations, Geneva.
2. The session of the Revisions Committee was attended by representatives of the following countries: Hungary and the United Kingdom of Great Britain and Northern Ireland. The European Union Agency for Railways was also represented.
3. The following inter-governmental organizations were represented: Intergovernmental Organisation for International Carriage by Rail (OTIF) and the International Institute for the Unification of Private Law (UNIDROIT). The following non-governmental organization was represented: International Union of Wagon Keepers.
4. The representatives of the following entities attended the session: AELER Technologies SA, ALLRAIL, Community of European Railways and Infrastructure Managers, Information Services Corporation (ISC), Intermodal Telematics, Mediterranean Shipping Company, One Goal Initiative for Governance, PricewaterhouseCoopers (PwC) and Rail Working Group.

II. Adoption of the agenda (agenda item 1)

Document: ECE/TRANS/SC.2/RC.1/2024/1

5. The Chair presented the agenda. The Revisions Committee adopted the agenda as set out in ECE/TRANS/SC.2/RC.1/2024/1.

III. Election of Officers (agenda item 2)

6. The Revisions Committee noted that at its last session it elected the United Kingdom of Great Britain and Northern Ireland as Chair of the Revisions Committee for 2023 and 2024 and did not elect a Vice-Chair. No nominations were made for the role of Vice-Chair. The secretariat noted that there would be full elections at the start of the third session of the Revisions Committee in 2025.

IV. Update on the Luxembourg Rail Protocol (agenda item 3)

Document: ECE/TRANS/SC.2/2024/3

7. The Revisions Committee was updated on developments in relation to the Luxembourg Rail Protocol (the Protocol) with interventions from the Rail Working Group, UNIDROIT, OTIF and ISC. The interventions focused on the entry into force of the Luxembourg Rail Protocol in contracting states on 8 March 2024, upcoming accessions, the start of work of the supervisory authority and the initiation of activities of the Registry. Furthermore, the revision of the Model Rules on the Permanent Identification of Railway Rolling Stock (henceforth Model Rules) was approved by the supervisory authority for the purposes of the registration of international interests at the International Registry.
8. Discussions also covered capacity building in relation to the Protocol with a focus on the workshops that had been organised by the Rail Working Group in recent years as well as the training material that is available on the website of the Registry. The secretariat noted that UNECE manages and hosts the only UN elearning platform focused on sustainable transport and smart connectivity – LearnITC (learnitc.unece.org) and that as the Model Rules are a UN instrument, if funding was available a course could be prepared on the Model Rules and the Protocol. The secretariat agreed to continue discussions on this with the Rail Working Group and other interested stakeholders to see the best way forward on the use of LearnITC for the Model Rules and the Protocol.

9. The Revisions Committee thanked the speakers for providing an update on developments with the Luxembourg Rail Protocol and welcomed its entry into force.

V. Model Rules on the Permanent Identification of Railway Rolling Stock (agenda item 4)

Document: ECE/TRANS/SC.2/RC.1/2024/6

A. Implementation

10. The secretariat introduced this agenda item recalling that the modifications agreed at the last session had been adopted by the Working Party on Rail Transport and as such a Revision 1 of the Model Rules has been prepared and the printed version was available in the room for collection by participants.

11. The secretariat also noted that the Protocol has only recently come into force and as a result was not aware of the extent to which the Model Rules were actually being implemented in practice. The secretariat explained that this agenda sub-item would have more information on implementation at future sessions. The secretariat reminded participants to share information on the implementation of the Model Rules to the secretariat to provide a more detailed update at the next session.

12. The Revisions Committee asked the secretariat to update the Revisions Committee on developments in this area at its third session.

B. Amendment proposals

13. The Rail Working Group introduced the amendment proposal included in document ECE/TRANS/SC.2/RC.1/2024/6 covering a possible change to the definitions article and the proposed modification of Transition Rules within the Model Rules. The Revisions Committee discussed the provisions at length, modifying the proposal on editorial as well as substantive elements. The agreed on, amended proposal is included in the annex I to the report of this session. The Revisions Committee further agreed that some of the amendments included needed further clarification particularly in relation to: the change to article 3, bullet 25; the concept of physical and legal inaccessibility; and the exceptional nature of the transition rules. It was agreed that this could be included in the Guidance Note and further discussion on this was postponed to agenda item 7 (see further details below).

14. The secretariat reminded the Revisions Committee of the process by which amendment proposals are to be submitted to the Revisions Committee for future sessions. Any amendment proposal should be sent to the secretariat no later than 12 weeks prior to the start of the session.

15. The Revisions Committee agreed to the text of the amendment proposals set out in ECE/TRANS/SC.2/RC.1/2024/6 as amended during the session and included in annex I of this report and asked that they are submitted to the Working Party on Rail Transport for adoption at its seventy-eighth session in November 2024. The Revisions Committee also asked that a consolidated version of the Model Rules is prepared, if the amendment proposals are adopted, in PDF format. It also asked that the secretariat find an innovative solution to incorporating the changes into the text of the existing printed version of the Model Rules rather than reprinting the entire publication. The Rail Working Group noted that Article 8.3 of the Model Rules allows for a shorter period of time to be requested in relation to the entry into force of amendment proposals. Therefore, the Revisions Committee requested that, if adopted by the Working Party on Rail Transport, the amendment proposals enter into force at the time of publication of the report of the seventy-eighth session of the Working Party.

16. The Revisions Committee reminded non-ECE, UN member States that, to participate in the decision making process for the Model Rules at the Working Party on Rail Transport, they need to send a letter to the Executive Secretary of UNECE expressing their interest in this work. This letter is available from the secretariat or on the UNECE website.

VI. Workshop on the role of PPPs in the financing of investment in the railways (agenda item 5)

Document: ECE/TRANS/SC.2/RC.1/2024/4

17. The secretariat introduced this agenda item setting out the contents of document ECE/TRANS/SC.2/RC.1/2024/4 and the importance of the role of PPPs (Public Private Partnerships) in the financing of investment in the railways. Speakers from OTIF, CIT, UNECE, ALLRAIL, PwC and the Rail Working Group discussed the various forms of PPPs, their advantages and disadvantages, how to maximise their potential and how the Luxembourg Rail Protocol and the Model Rules fit into the world of PPPs. The secretariat will prepare a brief summary document of the main interventions during the session that it will share on the webpage of the Revisions Committee.

18. The Revisions Committee thanked the speakers for their interventions and noted the importance of PPPs in ensuring appropriate investment in the railways.

VII. Workshop on integrating the URVIS number into digital solutions (agenda item 6)

Document: ECE/TRANS/SC.2/RC.1/2024/5

19. The Workshop on integrating the URVIS (Unique Rail Vehicle Identification System) number into digital solutions was opened by the Chair and the Rail Working Group. A number of speakers intervened on the different options that could be adopted in this area and noted the urgent need for this to be considered by the Revisions Committee in more detail. The Workshop noted that the application of digital solutions to the marking of the URVIS identifier on railway rolling stock would potentially give creditors and other interested parties a system for the real-time location tracking and status of financed rolling stock. The secretariat will prepare a brief summary document of the main interventions during the session that it will share on the webpage of the Revisions Committee.

20. The Revisions Committee thanked the speakers for their interventions and noted that this topic is of great importance to the work of the Model Rules and asked that a dedicated agenda item on this is retained going forward.

21. The Revisions Committee noted the need for the setting up of an informal expert group on the application of digital solutions to the marking of the URVIS identifier to take this discussion further, discussed the title of the group and adopted the terms of reference for this group as discussed during the session and included in annex II of this report (and in informal document no.1 (2024)). It asked the Chair of the Revisions Committee to inform the Working Party on Rail Transport of the creation of this informal group.

VIII. Preparation, publication and revision of guidance and support documents (agenda item 7)

Document: ECE/TRANS/NONE/2024/1

22. The secretariat introduced this agenda item reminding delegates of the publication of the Model Rules as well as the publication of the Guidance Notes that are available on the UNECE website. The secretariat reminded the Revisions Committee that the Guidance Notes are an aid to parties to facilitate the interpretation and implementation of the Model Rules and are to be seen as a dynamic document that can be updated on a regular basis. The secretariat reminded delegates that under agenda item 4 it had agreed to add three components to the Guidance Notes on:

- the definition of registered international interests;
- what is meant by physically inaccessible and inaccessible by law;
- the exceptional nature of the transition rules.

23. The Revisions Committee agreed to the text prepared during the session for these additions to the Guidance Notes as included in annex III of this report.

24. The Revisions Committee asked that the updated text be made available in line with the publication of the next revision of the Model Rules.

IX. Other business (agenda item 8)

25. No other business was raised during the session.

X. Date of the next session (agenda item 9)

26. The Revisions Committee noted that the third session of the Revisions Committee would be held from 3 to 5 September 2025, at the Palais des Nations in Geneva.

XI. Summary of decisions and reading of the draft report (agenda item 10)

27. Given discussions at the session, the Revisions Committee decided to read and consider the entire draft report of the session, as prepared by the Chair, under this agenda item, rather than just the decisions. The Revisions Committee adopted the report of its second session and asked that the secretariat forward it to the Working Party on Rail Transport to take note of the report and consider the adoption of the agreed amendment proposal to the Model Rules along with the request for a shorter time period for entry into force of the proposed amendments.

Annex I

Proposed Amendments to Revision 1 of the Model Rules as agreed by the Revisions Committee

Article 3

Article 3, bullet 25, *for*

“Registrable interest” means an international interest, a non-consensual right or interest, a prospective international interest, a pre-existing right or interest, a notice of national interest or a notice of sale;

read

“Registrable interest” means a registrable international interest, a non-consensual right or interest, a registrable prospective international interest, a pre-existing right or interest, a notice of national interest or a notice of sale;

Article 7A

Modify article 7A as follows (additions in bold, deletions in strikethrough):

7A. Transition Rules

7A.1 Notwithstanding the provisions of Articles 5 and 6 if, on the signature of a credit agreement no URVIS marker is attached to an item of railway rolling stock **but a running number is marked on such item in accordance with rules or regulations stipulated or applied by the relevant regional, national or supranational agency allocating the running number**, the keeper shall (a) use all reasonable efforts to affix the URVIS marker in accordance with Article 5 at the earliest possible opportunity, but in any event no later than the end of the transition period; and (b) immediately affix the URVIS marker in accordance with Article 5 if the running number **marked** on the item changes **after the date of signature of the credit agreement**.

7A.2 Where there is no credit agreement entered into with respect to an item, Article 7A.1 applies in the case of a unilateral interest save that the transition period shall commence on the day the keeper is notified in writing by the holder of such interest **and Article 7A.1 (b) applies if the running number on the item changes after the date the debtor is notified of the unilateral interest**.

7A.3 In exceptional cases where an item of railway rolling stock is physically inaccessible **or inaccessible as a matter of law** for the keeper and the debtor **or it is not, in the opinion of the holder of a registrable interest, physically practical for an URVIS marker to be attached to such item within the transition period**, ~~a holder of a registrable interest~~ **and without prejudice to Article 7A.1 (b), the holder** may agree **with the debtor** to extend the transition period to up to 3 years from the date of signature of the credit agreement or the date the debtor is notified of the unilateral interest, as appropriate, and if both apply, whichever is the earlier, provided that this derogation may only apply as between the holder and the debtor and shall not affect the rights of any other holder of a registrable interest.

7A.4 These transition rules only apply to qualifying rolling stock.

Annex II

Informal Group of Experts on the application of digital solutions to the marking of the URVIS identifier

Terms of reference

I. Scope of tasks and achievements expected

1. The informal Group of Experts on the application of digital solutions to the marking of the URVIS identifier (IGE.1) shall be set up as a subsidiary body of the Revisions Committee to the Model Rules on the Permanent Identification of Railway Rolling Stock and will focus its work on the following areas:

(a) Identify the potential application of digital solutions to the marking of the URVIS identifier as a technology agnostic standard;

(b) Identify how the digital solutions highlighted in (a) can interact with other technology and complementary regulatory requirements;

(c) Consider wider implications of the application of digital solutions including:

- issues related to ownership and access to location and status data;
- the safety critical nature of all technological solutions on railways;
- the cybersecurity and data protection elements of potential solutions;

(d) Identify the potential additional benefits of digital solutions including real-time tracking;

(e) Consider if and how the Model Rules need to be updated to reflect the application of digital solutions to the marking of the URVIS identifier; and

(f) Report back to the Revisions Committee.

II. Methods of Work

2. The informal Group of Experts is convened within the framework of UNECE. Its work should take into consideration legal instruments, standards and guidelines already in place on digital solutions in the railway sector by national, international and intergovernmental organisations as well as the sector itself. It should also look at good practice examples from other sectors.

3. The informal Group of Experts is expected to meet online, or in person if resources allow, at least twice a year, or more frequently if necessary.

4. The informal Group of Experts is expected to prepare a summary of progress and report on main activities at the annual sessions of the Revisions Committee. When it has finalised its work, it is to prepare a proposal on potential next steps or amendments to the Model Rules to be submitted for discussion at the next available Revisions Committee session. All documents to be submitted to the Revisions Committee must be forwarded to the secretariat no later than 12 weeks before the relevant Revisions Committee session to ensure their translation.

5. As this is an informal group, all documentation and meetings will be in English only unless additional resources are identified for one or more, in-person, formal meetings and/or interpretation and/or document translation.

6. Participation in the informal Group of Experts is open to all concerned United Nations member countries and experts. Concerned intergovernmental and non-governmental organizations, as well as concerned railway administration authorities and companies,

railway associations and related entities are invited to participate and provide expert advice in compliance with United Nations rules and practices.

III. Secretariat

7. As an informal Group of Experts, no secretariat services will be provided, except in the event of any formal meetings. However, UNECE will facilitate the meetings and participate in the meetings.

Annex III

Additions to the Guidance Notes on the Model Rules on the Permanent Identification of Railway Rolling Stock

At the end of paragraph 2 add the following text:

The definition “registrable interest” refers to an international interest which may be registered at the International Registry in accordance with Article XIV of the Luxembourg Rail Protocol. This has to be specified as such because it is possible to constitute an international interest in railway rolling stock pursuant to Article V of the Protocol where individual unique identification of the rolling stock is not required.

Article 7A.3

With reference to the exceptional nature of the transition rules, although the transition period for rolling stock already in operation has been extended to up to three years to cover situations where the holder of the registrable interest agrees that there are practical difficulties in promptly marking the rolling stock with the URVIS identifier within the transition period as defined in Article 3, this remains a tightly drafted exception and this does not apply to new equipment or where the running number is changed after the entry by the parties into the credit agreement.

“Physically inaccessible” means that it is impossible for the debtor or, if the debtor is not the keeper, the keeper to gain access to the railway rolling stock for the purposes of attaching the URVIS marker. For example, the railway rolling stock could be in a war zone or access could be precluded because of adverse (severe) weather conditions. The words “inaccessible as a matter of law” refer to the situation where, as a matter of national or international law, including any sanctions imposed by relevant authorities, it would be unlawful for a debtor or a keeper to obtain direct or indirect access to railway rolling stock with the objective of affixing the URVIS marker as required by the Model Rules. The derogation described in Article 7A.3 is subject to the overriding provision under Article 7A.1(b). Accordingly, if the running number marked on the railway rolling stock changes, there is an immediate requirement on the keeper to affix the URVIS marker on the relevant item.

Article 7A.4

The term qualifying rolling stock is explicitly defined in article 3.
