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### Inland Transport Committee

#### Working Party on Rail Transport

Seventy-seventh session

Geneva, 15–17 November 2023

### Report of the Working Party on Rail Transport on its seventy-seventh session

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## I. Attendance

1. The Working Party on Rail Transport (SC.2) held its seventy-seventh session from 15 to 17 November 2023 in Geneva.
2. The session of the Working Party was attended by representatives of the following countries: Albania, Austria, Bosnia and Herzegovina, Czechia, Finland, France, Georgia, Germany, Hungary, Latvia, Moldova, Montenegro, Netherlands, Poland, Romania, Russian Federation, Slovenia, Spain, Sweden, Switzerland, Turkmenistan, Türkiye, Ukraine, and United Kingdom of Great Britain and Northern Ireland. Representatives from the European Commission (EC), Transport Community and the European Union (EU) Delegation to the United Nations were present.
3. The Intergovernmental Organization for International Carriage by Rail (OTIF), and the Project Central Office of the Trans-European Railway (TER) were represented.
4. The following non-governmental organizations were represented: European Passengers' Federation (EPF), Community of European Railway and Infrastructure Companies, International Rail Transport Committee and International Union of Railways (UIC).
5. Representatives of the following private and other sectors attended the session: Ampiton Ltd., Demiryollary OJSC, EuroMed Road, Rail and Urban Transport Project, Ferrovie dello Stato Italiane, Large Infrastructure Project LLC, Rail Transport Agency of Georgia, Rail Working Group, TCDD Railways and TRA Consulting.

## II. Adoption of the Provisional Agenda (agenda item 1)<sup>1</sup>

*Documentation:* ECE/TRANS/SC.2/242/Rev.2

6. The Working Party adopted the agenda as contained in ECE/TRANS/SC.2/242/Rev.2.

## III. Workshop: “The Future of International Rail Passenger Transport” (agenda item 2)

7. A workshop on “The Future of International Rail Passenger Transport” was convened on the second day of the Working Party on Rail Transport. About 70 participants were registered for the event. Speakers from national and international institutions as well as from the railways shared good practices in international rail passenger transport and how it is likely to evolve in the coming years. The speakers highlighted the need to implement programs and invest in fostering international passenger rail transport, especially to recover from the COVID-19 pandemic, which caused a decrease in the number of passengers transported. Presenters provided multiple examples of successful strategies which have been implemented to incentivize passengers to choose rail for their journeys instead of less sustainable alternatives with good results. Cooperation between countries has been frequently indicated as a key factor in developing cross-border passenger rail transport.
8. The secretariat concluded by summarizing the workshop. Member States and other delegates commented positively on the importance of this workshop which provided examples of facilitating modal shift to rail and agreed that the workshop had been very useful and a great success.
9. The Working Party welcomed discussions at the Workshop “The Future of International Rail Passenger Transport” and requested that the secretariat prepare a summary of the discussions. The Working Party agreed to return to this topic at future sessions.

<sup>1</sup> Information on the session is available at:  
<https://unece.org/info/Transport/Rail-Transport/events/369040>.

#### **IV. Towards Unified Railway Law in the Pan-European Region and on Euro-Asian Transport Corridors (agenda item 3)**

*Documentation:* ECE/TRANS/SC.2/2023/2/Rev.1,  
ECE/TRANS/SC.2/2023/2/Rev.1/Corr.1, ECE/TRANS/WP.30/302

10. The Chair recalled that the Working Party on Rail Transport at its seventy-sixth session had decided to proceed with the finalization of the Convention on the Contract for International Carriage of Goods by Rail and had mandated him to manage the process. He further recalled the Special session of the Working Party which had been held on 10–12 July and 29 September 2023 and the work done to refine the text of the Convention based on the comments received from the member States. The refined text is contained in the ECE/TRANS/SC.2/2023/2/Rev.1.

11. The secretariat informed the Working Party about a number of editorial and procedural aspects with regard to the Articles on the Declaration of territories and Notification by the Depositary raised by the Treaty Section of the United Nations Office of Legal Affairs on ECE/TRANS/SC.2/2023/2/Rev.1 as reflected in ECE/TRANS/SC.2/2023/2/Rev.1/Corr.1. It noted that the final text of the Convention is thus contained in ECE/TRANS/SC.2/2023/2/Rev.1 and ECE/TRANS/SC.2/2023/2/Rev.1/Corr.1.

12. The Chair thanked SC.2 for the work done on the finalization of the Convention and proposed that the Convention, as contained in ECE/TRANS/SC.2/2023/2/Rev.1 and ECE/TRANS/SC.2/2023/2/Rev.1/Corr.1 is adopted and forwarded to the Inland Transport Committee (ITC) for opening for signature.

13. The Chair's proposal was then discussed by delegations.

14. The Russian Federation informed the Working Party about its position against the adoption of the Convention. The Russian Federation opposed the adoption of the submitted draft Convention on the Contract for International Carriage of Goods by Rail noting that the Russian Federation has always supported an integrated approach in the process of creating a unified law, which includes a system of agreements and contracts regulating all aspects (technical, operational, economic, financial) of the organisation and implementation of international carriage of goods by rail.

15. OTIF recalled the Unified Rail Law (URL) declaration as a basis for the preparation of the new Convention. It stressed the need for the new Convention to serve as an interface law in the Euro-Asian area thus not to constitute a 'third law' in addition to CIM and SMGS. It also stressed that the new Convention cannot be in conflict with CIM. The full statement of OTIF is provided in the annex.

16. The EU reminded SC.2 that the decision on an interface law and step-by-step approach for the development of URL had been taken at the seventy-sixth session of the Working Party and was not a subject of the discussion and focus at the seventy-seventh session. It underlined that the finalization of the new Convention was done in line with the decision made at the seventy-sixth session and that the text of the Convention was ready for adoption.

17. Germany agreed to adopt the Convention as proposed by the Chair. Germany further requested that in case of a lack of consensus, member States present at the seventy-seventh session should vote on the proposed decision by the Chair.

18. Austria, Czechia, France, Poland, Slovenia and United Kingdom of Great Britain and Northern Ireland supported the position of Germany.

19. Further to the discussion and its outcomes that: (a) the Convention was finalized as mandated and thus was ready for adoption; (b) no consensus was achievable; and (c) vote on the Chair's proposal for decision was requested, a vote by member States present at the seventy-seventh session was called by a show of hands.

20. The secretariat, at the request of one member State, confirmed that the number of member States present at the seventy-seventh session exceeded the minimum required for quorum as per Rule 25 of the Rules of Procedures of the Working Party. The secretariat also

confirmed that, in the absence of consensus, decisions of the Working Party shall be made by a majority of the full members present and voting.

21. At the request of the EU the secretariat also recalled the process for the adoption of the Convention on the facilitation of border crossing procedures for passengers, luggage and load-luggage carried in international traffic by rail as reflected in ECE/TRANS/WP.30/302.

22. The Chair then proceeded with the vote. In the vote, 19 member States voted in favour of the Chair's proposal and one member State voted against. Three member States abstained from the vote.

23. As a result of the vote, member States present at the Working Party on Rail Transport adopted the Convention on the Contract for International Carriage of Goods by Rail as a first Convention of a system of Unified Railway Law Conventions and forwarded it to the ITC for the opening for signature.

## V. European Agreement on Main International Railway Lines (agenda item 4)

*Documentation:* ECE/TRANS/63/Rev.4, ECE/TRANS/SC.2/2022/12, C.N.61.2023.TREATIES-XI.C.3, C.N.277.2023.TREATIES-XI.C.3, ECE/TRANS/SC.2/2023/11, ECE/TRANS/SC.2/2023/12, ECE/TRANS/SC.2/2023/13

24. The European Agreement on Main International Railway Lines (AGC) currently has 28 contracting parties.<sup>2</sup> Detailed information on AGC, the up-to-date and consolidated text of AGC (ECE/TRANS/63/Rev.4), a map of the AGC network, the document ECE/TRANS/SC.2/2020/2 setting out the background, benefits and accession requirements for the AGC, an inventory of minimum standards stipulated in AGC and the Depositary Notifications are available on the website of the Working Party.<sup>3</sup> The Working Party noted the importance of having the current consolidated version of the AGC published and available in all official ECE languages.

25. The Working Party took note of the efforts of the secretariat to increase the number of contracting parties to AGC.

26. The Working Party recalled that at its seventy-sixth session, it had requested the secretariat to proceed with the depositary notification for the amendments set out in ECE/TRANS/SC.2/2022/12 in relation to changes proposed by the Republic of Lithuania to the annex I of AGC and adopted at its seventy-sixth session. These amendments were notified to the depositary in New York on 2 March 2023 (C.N.61.2023.TREATIES-XI.C.3). The secretariat informed the Working Party that no objections were received before the September 2023 deadline (C.N.277.2023.TREATIES-XI.C.3) and thus the amendments would enter into force on 2 December 2023.

27. The Working Party was informed that the secretariat had received a number of amendment proposals to the annex I of AGC from Austria, Bulgaria, Kazakhstan (ECE/TRANS/SC.2/2023/11), Portugal (ECE/TRANS/SC.2/2023/13) and Türkiye (ECE/TRANS/SC.2/2023/12). The secretariat noted that these amendments were in line with similar amendments made by these member States to the European Agreement on Main International Combined Transport Lines and Installations (AGTC) and continued the work of the secretariats of SC.2 and the Working Party on Intermodal Transport and Logistics (WP.24) to ensure consistency and alignment between the AGC and the AGTC. The amendments were approved by Contracting Parties.

28. The Russian Federation noted that it supported the amendment proposals to the annex I of the AGC submitted by the Republic of Kazakhstan. The Russian Federation

<sup>2</sup> Albania, Austria, Belarus, Belgium, Bosnia and Herzegovina, Bulgaria, Croatia, Czechia, France, Germany, Greece, Hungary, Italy, Latvia, Lithuania, Luxembourg, Montenegro, Poland, Republic of Moldova, North Macedonia, Romania, Russian Federation, Serbia, Slovakia, Slovenia, Türkiye, Turkmenistan and Ukraine.

<sup>3</sup> [www.unece.org/trans/main/sc2/sc2\\_AGC\\_text.html](http://www.unece.org/trans/main/sc2/sc2_AGC_text.html).

also proposed to include the Birobidzhan-Mikhailo-Semenovskaya (Leninsk II) section in the list of Russian sections of international railway lines E 20 of ITC “West-East”, taking into account the commissioning of a new border crossing between Mikhailo-Semenovskaya (Leninsk II, Russian Federation) and Tongjiang (People’s Republic of China). The secretariat noted that an amendment proposal would be prepared for the seventy-eighth session of SC.2 for this change so that it can be available in the three official languages of ECE for adoption by member States at that session.

29. Finally, under this agenda item, the secretariat explained that work continues on the modernization of AGC through the gathering of data in collaboration with ERA in order to provide accurate information on the AGC network in GIS format. This work aimed at updating the AGC/AGTC parameters tool, carried out through a dedicated activity within the TER project which had been finalised and was explained under agenda item 11.

30. The Working Party welcomed the updated information on the AGC including on accession and additional steps taken in the modernisation of the Agreement.

31. The Working Party noted that the amendments agreed in ECE/TRANS/SC.2/2022/12 had been notified to the depository and that they would enter into force in December 2023. Contracting Parties agreed to the amendments included in ECE/TRANS/SC.2/2023/11, ECE/TRANS/SC.2/2023/12 and ECE/TRANS/SC.2/2023/13 and asked the secretariat to send them to the depository.

## **VI. The Revisions Committee of the Model Rules for the Permanent Identification of Railway Rolling Stock (agenda item 5)**

*Documentation:* ECE/TRANS/SC.2/2023/3

32. The Working Party recalled that, at the eighty-fifth session of the ITC, member States adopted the Model Rules on the Permanent Identification of Railway Rolling Stock (henceforth Model Rules) as the sixtieth legal instrument of ITC and established the Revisions Committee to the Model Rules.

33. The secretariat reminded delegates that the Model Rules are global in nature and, as such, member States outside of the ECE region have full membership rights in decisions under this agenda item at the Working Party on Rail Transport as enshrined in the Rules of Procedure for SC.2 where those member States have expressed an interest in the activities related to the Model Rules by writing to the Executive Secretary of ECE. To date, the secretariat has not received any such expressions of interest but reminded member States that a template letter for doing so is available on the ECE website or can be obtained by contacting the secretariat directly.

34. The Working Party was informed that the first session of the Revisions Committee to the Model Rules met in August 2023. At this session, participants were informed of developments in relation to the implementation of the Luxembourg Rail Protocol to the Cape Town Convention on Mobile Equipment as well as developments in relation to the Model Rules themselves. In addition, the Revisions Committee discussed and agreed the amendment proposals set out in ECE/TRANS/SC.2/2023/3 and asked that it be forwarded to SC.2 for approval.

35. The Revisions Committee also noted that the global nature of the Model Rules required that documents for future sessions of the Revisions Committee are made available in all official languages of the United Nations and that future sessions are made available in hybrid format and asked that the Working Party to consider requesting ITC to provide for this within the regular budget.

36. The Working Party adopted the amendments proposed by the Revisions Committee to the Model Rules contained in ECE/TRANS/SC.2/2023/3 and asked the secretariat to prepare a consolidated version of the Model Rules containing these amendments.

37. The Working Party also asked that, given the global nature of the Model Rules, the Inland Transport Committee request, through the regular budget, for the translation of documents for Revisions Committee sessions into all official United Nations languages and that future sessions of the Revisions Committee are held in hybrid format.

## VII. International Railway Passenger Hubs (agenda item 6)

*Documentation:* ECE/TRANS/SC.2/2023/4, ECE/TRANS/SC.2/2023/5, ECE/TRANS/SC.2/2023/6, Publication: “Railways at the centre of the post-pandemic recovery – Measures to support international rail carriers”.

38. The Working Party recalled that, following a workshop “International Passenger Transport in the ECE region”, it had decided to create a new Group of Experts on International Railway Passenger Hubs (GE HUBS) at its seventy-fourth session to work on further facilitating the switch to rail for passengers. The Group recalled that the focus of the group is on the identification of railway passenger stations that could act as hubs, the facilities that should be in those hubs, what legal instrument to adopt once this identification has been made, to review current legal instruments in rail passenger transport and to identify what incentives have been provided to operators during the pandemic.

39. The secretariat explained that the Group has now completed its mandated meetings and a detailed description of the activities undertaken during the mandate are set out in ECE/TRANS/SC.2/2023/4. The secretariat explained that this document highlights how the Group believes it has successfully completed its mandate in all the areas identified in its terms of reference. In particular, the Group drew delegates’ attention to ECE/TRANS/SC.2/2023/5 setting out amendment proposals to the AGC proposed by Belgium and Poland.

40. Furthermore, the secretariat drew delegates’ attention to a draft, non-binding, guidance note (ECE/TRANS/SC.2/HUBS/2023/11) that had been prepared to support the implementation of the amendment proposals included in ECE/TRANS/SC.2/2023/5 providing further explanation of the technical and service parameters as well as some key definitions. The Group requested that the WP may wish to consider keeping this document updated within the framework of the activities of SC.2.

41. Finally, the secretariat highlighted that ECE/TRANS/SC.2/2023/4 noted that it was essential to improve passenger information for people travelling on the railways and facilitate its harmonisation to further encourage a shift to rail from other modes of transport. As such, the Group proposed that the Working Party consider setting up a new group of experts on this subject called the Group of Experts on Passenger Information in Stations and Hubs to complement the outcomes of GE HUBS. The secretariat explained that the annex to ECE/TRANS/SC.2/2023/6 contains the proposed terms of reference for this new Group.

42. The Russian Federation noted that it supported the amendment proposals to the AGC relating to International Railway Passenger Hubs. The Russian Federation also supported the proposal to create a new Group of Experts on Passenger Information in Stations and Hubs.

43. The Working Party thanked all the experts that participated in the activities of the Group of Experts on International Railway Passenger Hubs. It welcomed the successful completion of the activities of the Group as set out in ECE/TRANS/SC.2/2023/4 and confirmed that it had achieved the activities identified in its terms of reference.

44. Contracting parties adopted the amendments proposed by Belgium and Poland to the AGC contained in ECE/TRANS/SC.2/2023/5 and asked the secretariat to forward the agreed amendments to the depository. The Working Party noted the creation of a Guidance Note to support these changes as set out in ECE/TRANS/SC.2/HUBS/2023/11 and agreed to keep it updated within the activities of updating of the AGC.

45. The Working Party accepted the creation of a proposed new Group of Experts on Passenger Information in Stations and Hubs, requesting that it complete the activities in the terms of reference within a three-year period, and sent it to ITC for adoption.



## VIII. Euro-Asian Rail Transport (agenda item 7)

46. The Working Party recalled that at its seventy-third session in 2019 a workshop was held on: “Making rail freight more competitive and the coordinated development of the rail network with a focus on how to work together at the government and sectoral levels on EATL”.<sup>4</sup> Following the seventy-third session, a summary publication was prepared by the secretariat and is available on the Working Party’s webpage.

47. The Working Party was informed about new developments on Euro-Asian rail transport corridors, including recent developments in relation to the Coordinating Committees.

48. The Russian Federation informed SC.2 about the request made to WP.5 to prepare a document with proposals on the objectives and composition of a Coordination Committee for the management of the Euro-Asian Transport Link (EATL) railway route No.1. It further informed of its request to WP.5 to consult the relevant Committee of the Organization for Cooperation of Railways (OSJD) to join the activities of the future Coordination Committee and provide the existing OSJD tools for effective international transport corridors management, in particular, analytical tools for assessing the functioning of the corridor and for identifying physical and non-physical barriers in the organization of international transport. The Russian Federation called then upon the countries through whose territory the EATL railway route No. 1 passes (in particular, Belarus, China, Kazakhstan, Mongolia, and Poland) to consider participating in the relevant Coordination Committee, once established. SC.2 took note of the information provided by the Russian Federation.

49. Poland noted that it considered it premature to create a Coordination Committee for the management of the EATL railway route No.1 given the current situation. It noted that it would not be able to take part in any such Coordination Committee for the moment.

50. The secretariat of the Working Party on Intermodal Transport and Logistics (WP.24) updated the Working Party on the workshop held at the most recent session of WP.24 which highlighted a number of issues potentially relevant to SC.2 including: admission of train drivers to international traffic; capacity allocation based on socio-economic measures to ensure fair allocation; and how to address the allocation of paths with some more flexibility potentially through automation.

51. The secretariat noted that the Eurasian Rail Alliance Index representative was not available to present progress with the work of the Index.

52. The Working Party noted the developments in Euro-Asian rail transport and WP.24 and encouraged the secretariats to continue facilitating close discussion between the two Working Parties.

## IX. Trans-European Railway Project (agenda item 8)

*Documentation:* ECE/TRANS/WP.5/2023/3

53. The TER Project Manager, Ms. M. Kopczyńska reported on the activities of the TER Project for 2023 (ECE/TRANS/WP.5/2023/3). The work of the TER Steering Committee had focused on the implementation of the mandate with particular attention on the TER backbone network and the completion of relevant studies. The Russian Federation informed SC.2 about the decision to terminate its participation in the TER project from 1 January 2024.

54. 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.

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<sup>4</sup> Euro-Asian Transport Linkages (EATL).



## **X. Railway Financing and Public-Private Partnerships (agenda item 9)**

55. The Working Party recalled the discussions at previous sessions on good practices in implementing Public-Private Partnerships (PPPs) in railway infrastructure development, and on the development of standards aimed at facilitating the implementation of PPPs projects. On this subject, no presentations were made at this session.

56. The Working Party invited delegates to present their developments under this agenda item at future meetings.

## **XI. Rail Security (agenda item 10)**

57. The Working Party recalled that the secretariat had developed an advanced web-based platform on rail security which can operate as an international observatory on rail security issues (henceforth the Rail Security Observatory). The secretariat presented the latest updates on the Rail Security Observatory.

58. During this agenda item UIC updated the Working Party on its work in the security field. The secretariat informed the Working Party that it is continuing to work with UIC on security matters as requested by ITC at its eighty-third session in February 2021 and on this noted the possibility of holding a workshop with UIC on security matters in 2024 if resources allow.

59. The Working Party thanked UIC for its intervention and requested that the secretariat keep it updated on developments in this area and on the ECE Rail Security Observatory at future meetings. It also asked the secretariat to organise, in collaboration with UIC, a meeting in the framework of SC.2 on rail security.

## **XII. Innovation in Rail Transport (agenda item 11)**

60. The secretariat informed SC.2 of the new Rail Innovation Observatory freely accessible on the website of the Working Party. It recalled that it aimed at sharing with member States best practice innovations that could further help develop the competitiveness of the railways. The information that is shown on this Observatory has been taken from public resources and member States are free to provide input into the Observatory.

61. The secretariat proceeded to present the finalised user-friendly AGC/AGTC inventory of technical standards as an important tool in the innovation of our activities in rail transport prepared with the support of the TER project, highlighting its characteristics and how it can be used.

62. The Working Party welcomed the creation of the Rail Innovation Observatory and asked that the secretariat to keep it updated going forward. It also noted the completion of the AGC/AGTC inventory of technical standards, thanking the TER project for its extensive work in this area and asked the secretariat to disseminate it to ensure that it can be used effectively.

## **XIII. Productivity in Rail Transport (agenda item 12)**

*Documentation: ECE/TRANS/SC.2/2023/7*

63. The Working Party recalled that, at its last session, it requested that the secretariat prepare an updated analysis of productivity following the same approach as in 2021. The secretariat introduced the results of the analysis for 2023 based on desktop information available at UIC and ECE and included in ECE/TRANS/SC.2/2023/7.

64. The Working Party noted that further work needs to be done for the next version of the productivity analysis. In particular in relation to labour productivity and suggested that a more detailed questionnaire should be developed to support the UIC data. The Working Party

suggested that additional sources of information should also be used for this analysis including the Rail Market Monitoring Survey Report published by EC in September 2023. The Working Party asked EPF to provide suggestions on how best to tailor this information request to ensure that it also covers passenger satisfaction.

65. The Working Party thanked the secretariat for the analysis undertaken in relation to rail productivity and asked that the review is repeated for the seventy-ninth session of the Working Party noting the need for a questionnaire to be developed to supplement data available at UIC to be discussed at the next session.

#### **XIV. Climate Change and Rail Transport (agenda item 13)**

*Documentation:* ECE/TRANS/SC.2/2023/10, Informal Document No.1/Rev.1

66. The secretariat informed the Working Party on the activities of the Group of Experts on Climate Change Impacts and Adaptation for Transport Networks and Nodes.

67. The secretariat further noted that the Chair of SC.2 had received a request from the Chair of ITC to provide input into the ITC strategy on greenhouse gas emissions reduction. For this purpose, the Chair, with the support of the secretariat, prepared Informal document No.1 containing proposals for discussion at the current session of the Working Party. SC.2 noted that any strategy on greenhouse gas emissions reduction should place rail at its centre given the environmentally friendly credentials of the mode and that consideration should also be given to climate change resilience aspects in the strategy. SC.2 asked that these elements are made clearer in the text before it is shared with the ITC Chair.

68. The Working Party was informed about work that had been initiated under this agenda item in relation to energy efficiency in rail as set out in ECE/TRANS/SC.2/2023/10. This document provides an initial assessment of potential energy saving measures for the sector and best practice solutions. The secretariat noted that this was only initial work and that it would seek to send a questionnaire to delegates to gather further information on this with the aim of preparing a more detailed analysis for the next session of SC.2.

69. The Working Party thanked the secretariat for the updates on the Group of experts on Climate Change Impacts and Adaptation for Transport Networks and Nodes and asked that it be updated on this at future meetings.

70. The Working Party welcomed the document prepared by the Chair and the secretariat on the ITC Strategy for reducing greenhouse gas emissions and asked that the Working Party's comments, as contained in the amended document (Informal Document No.1/Rev.1) be forwarded to the ITC Chair for inclusion in the new Strategy document.

71. The Working Party welcomed ECE/TRANS/SC.2/2023/10 on energy efficiency in rail and asked that the secretariat send to focal points a questionnaire to gather further information in this area with the aim of updating the document for the next session of SC.2.

#### **XV. Railway Reform and Review (agenda item 14)**

72. The Working Party was informed about the developments on railway reform, building on the workshop held at the seventy-first session of the Working Party. In particular, SC.2 discussed the presentations made by Hungary (supported by informal document No.2 (2023)) and TRA Consulting on this issue.

73. The Working Party thanked Hungary and TRA Consulting for their interventions on railway reform and reminded member States that they may want to update participants on similar work in respective countries at future meetings.

#### **XVI. Facilitation of International Rail Transport in the Pan-European Region (agenda item 15)**

*Documentation:* ECE/TRANS/SC.2/2022/10

74. The Working Party recalled that at its last session it had discussed the results of a questionnaire on the new annex 9 to the Harmonization Convention on facilitating rail border crossings in the pan-European region.

75. The Working Party was informed that no meetings of the OSJD/ERA Working Group on Interoperability had taken place in 2023 and so there were no updates on this item.

76. The Working Party thanked the secretariat for the update on the survey on the annex 9 to the Harmonisation Convention and asked that it be kept informed on this going forward.

## **XVII. Rail Statistics (agenda item 16)**

77. The Working Party was informed by the secretariat about the ongoing work in rail statistics and its relevance to SC.2. In particular, the work of the Working Party on Transport Statistics (WP.6) and the data processing and visualisation efforts that had been undertaken since the last session of SC.2.

78. The Working Party noted the developments in rail statistics as set out by the secretary of WP.6 and asked that the secretariat keeps SC.2 informed at future sessions.

## **XVIII. Improving Safety in Rail Transport (agenda item 17)**

79. The secretariat updated the Working Party on the developments related to the Code of Practice on the Packing of Cargo Transport Units (CTU Code) as a key element of railway safety with a particular focus on efforts to update the CTU Code.

80. The Russian Federation endorsed the work of the Informal Group of Experts on CTU Code carried out in 2020–2023; supported the secretariat’s proposal to hold a second CTU Code Implementation Workshop in 2024 and the intention to finalise the changes to the CTU Code during the 86th session of the ITC in February 2024. Supported the secretariat’s work on written approval of changes to the CTU Code together with International Maritime Organization and International Labour Organization; encouraged the secretariat to intensify efforts to promote the document among consignors of goods in United Nations member States.

81. The Working Party welcomed progress in the ongoing preliminary work in the updating of the CTU Code and asked that the Working Party is kept informed on this and other safety related issues at future sessions of SC.2.

## **XIX. Activities of Inland Transport Committee and its Subsidiary Bodies (agenda item 18)**

*Documentation:* ECE/TRANS/SC.2/2023/8

82. The Working Party was informed about the activities of ITC, its Bureau, subsidiary bodies and other United Nations organizations on matters of interest to SC.2. In particular, the secretariat informed the Working Party about the request of the Chair of ITC to Working Parties on: the alignment of the Terms of Reference (ToR) and Rules of Procedure (RoP) of SC.2 with the revised ToR and RoP of ITC; and participation in the review of the mandate of SC.2.

83. The secretariat reminded delegates that, as a result of the decisions taken during the seventy-sixth session of SC.2, the ToR and RoP of SC.2 are already aligned to those of ITC and as such no further action is necessary on this point. The secretariat then proceeded to introduce ECE/TRANS/SC.2/2023/8 on the review of the mandate of SC.2. The Working Party agreed with the contents of this document.

84. The secretariat also reminded delegates about LearnITC – the Inland Transport and Trade Connectivity eLearning Platform – developed by the Sustainable Transport Division ([learnitc.unece.org](http://learnitc.unece.org)). LearnITC is the only United Nations platform to provide multiple training courses dedicated to inland transport. It has been designed and created to help

government officials and other relevant stakeholders to understand, apply and implement UN Inland Transport Conventions and Legal Agreements as well as trade connectivity principles and standards. Currently, there are more than 500 enrolments in courses on the platform covering participants from over 75 countries worldwide.

85. The Working Party noted the response to the ITC Chair prepared in ECE/TRANS/SC.2/2023/8 and asked that it be sent to the relevant ITC focal points.

## **XX. Activities of the European Commission in Rail Transport (agenda item 19)**

86. The Working Party was informed by the representative from EC about its most recent developments. The Working Party noted the update provided by EC.

## **XXI. Activities of International Organizations in Rail Transport (agenda item 20)**

87. The Working Party noted the intervention from OTIF under agenda item 3.

## **XXII. Programme of Work for 2024–2025 (agenda item 21)**

Documentation: ECE/TRANS/SC.2/2019/2, ECE/TRANS/SC.2/2020/1, ECE/TRANS/SC.2/2023/9/Rev.1

88. The Working Party recalled that at its seventy-third session it approved the document on the implementation of the ITC strategy (ECE/TRANS/SC.2/2019/2). At its seventy-fourth session the Working Party then adopted its new terms of reference adjusting its approach to reflect the implementation of the ITC strategy (ECE/TRANS/SC.2/2020/1). This document was then subsequently approved by the ITC and then updated at the seventy-sixth session of SC.2 in line with the creation of the new Rules of Procedure. Based on these documents, the secretariat presented the draft programme of work for the period 2024–2025 and the biennial evaluation (ECE/TRANS/SC.2/2023/9).

89. The Working Party noted the positive results of SC.2 and the plans for the 2024–2025 work programme and asked that the document be amended to reflect the adoption of the new Convention adopted under agenda item 3, a modified reference to potential new groups of experts and the insertion of targets for 2024–2025 (through the updating of the table in section III - ECE/TRANS/SC.2/2023/9/Rev.1).

90. The Working Party welcomed the draft programme of work for the period 2024–2025 and highlighted that the biennial evaluation showed that SC.2 had achieved or surpassed its indicator targets. The Working Party adopted the amended Programme of Work for 2024–2025.

## **XXIII. Other Business (agenda item 22)**

91. The Vice-Chair opened the discussion on possible workshops for the seventy-eighth session of SC.2 suggesting as initial ideas: A cluster on performance indicators and the performance of the rail sector as a whole; and a cluster on train drivers' access to other markets and education for rail workers. Delegates were invited to write to the secretariat to propose possible topics for next year.

## **XXIV. Election of officers (agenda item 23)**

92. The secretariat informed the Working Party that at the end of this session the mandate for the current Chair and Vice-Chair would expire and as such new elections would be necessary for the period 2024–2025.

93. The Working Party elected Netherlands and Poland to act as Chair and Vice-Chair for the upcoming two sessions of the Working Party on Rail Transport in 2024 and 2025. Netherlands will take the Chairmanship first and pass the Chairmanship to the Vice-Chair from Poland for the second year.

## **XXV. Date and Venue of the Next Session (agenda item 24)**

94. The Working Party confirmed the dates of 13 to 15 November 2024 for the next session of SC.2. It noted with dissatisfaction that due to limitations in the Palais, only half a day has been provided for 13 November and requested that the secretariat express concern to the relevant ECE authorities on this. It also noted that, for the moment, only in person participation will be allowed for during this meeting.

## **XXVI. Adoption of Decisions (agenda item 25)**

95. As agreed, and in line with previous practice, the Working Party reviewed the report of the session as prepared by the Chair and the Vice-Chair. The Working Party adopted its Report.

## Annex

### Statement from OTIF

1. OTIF would like to thank SC.2 secretariat and all participants for the comprehensive work to establish the URL.
2. OTIF would like to recall the “Joint Declaration on the promotion of Euro-Asian rail transport and activities towards unified railway law” signed in 2013. This declaration is a basis for the new convention and it was clearly limited to the Euro-Asian rail transport of goods. Euro-Asian transport must be emphasised.
3. Secondly, we would like to recall the decision of the General Assembly of OTIF in 2021 at its 15th session. We already informed SC.2 of this decision in 2021. The General Assembly, among other matters: ‘supported the formation and adoption of an interface law between COTIF/CIM and SMGS to facilitate international rail freight transport between Europe and Asia. However, this interface law must not conflict with the CIM UR’. The key words in this decision are once again “between Europe and Asia”, “interface law between COTIF/CIM and SMGS” and, last but not least, that there should be no conflict with the CIM UR.
4. Thirdly, it should be recalled that COTIF is incorporated into the internal law of the Member States of OTIF, and that these members have primary legal obligations under COTIF.
5. In conclusion, as can be seen from the Declaration and the OTIF decisions cited, there is a clear international will to find a solution that reduces the negative effects of the existing fragmentation. However, this must be clearly stated in the new Convention, otherwise there is a real risk that a third international legal regime will emerge, which will only lead to further fragmentation and complexity.

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