



Organisation intergouvernementale pour les transports internationaux ferroviaires

Zwischenstaatliche Organisation für den internationalen Eisenbahnverkehr

Intergovernmental Organisation for International Carriage by Rail

# **Committee of Technical Experts**

## **11<sup>th</sup> Session**

## **The Report**

Bern, 12 and 13 June 2018

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## **COMMITTEE OF TECHNICAL EXPERTS' DECISIONS**

### **1. Approval of the agenda**

The Committee of Technical Experts (CTE) adopted the agenda as submitted in document TECH-18008 dated 12.3.2018 and added two new items: 5.2 UTP TAF as requested by the European Union and 7.2 Interfaces between wagons and extra-large RID tank-containers as requested by Switzerland.

### **2. Presence and quorum**

### **3. Election of chairman**

The CTE elected Switzerland, in the shape of Mr Roland Bacher, to chair this session.

### **4. For information:**

#### 4.1. Report from the CTE working group technology (WG TECH)

#### 4.2. Status of notifications of the national technical requirements (NTR) according to Article 12 APTU

- CTE requested WG TECH to analyse the need for further action, including possible modification of the provisions of APTU Articles 12 and 13 (publication and alignment of national technical requirements), bearing in mind that NTR under COTIF only concern international traffic

#### 4.3. Status of the development of the NVRs in the Contracting States

- CTE invited the EU to present developments in the future European Vehicle Register (EVR) at the next WG TECH meeting, including measures to ensure that the non-EU NVR and EVR remain connected
- CTE urged those Contracting States that had not yet fully implemented the NVR, or that have not connected their NVR to the EC VVR, to do so as soon as possible

#### 4.4. Status of the development of freight noise abatement measures in the EU

- The CTE mandated WG TECH to analyse and discuss these developments, including the need for modifications to the UTP Noise and to report its findings to the next CTE meeting

### **5. For adoption:**

#### 5.1. Modified UTP GEN-B

- As the EU was not empowered to vote on this agenda item, no decision could be taken at the session. The OTIF Secretariat and the Chair were requested to obtain a decision using the written procedure:
  - o The EU should inform the OTIF Secretariat by 15 July 2018 how the EU would exercise the voting rights of its Member States with regard to the written procedure, after which
  - o The Secretariat and Chair would obtain a vote using the written procedure
  - o The Contracting States would send the OTIF Secretariat their votes within a 3-month deadline approximately and therefore the Contracting States had to react by the end of October at the earliest

#### 5.2. UTP TAF

- The delegates noted the information provided by ERA about the latest revision of the Appendix I to TAF TSI
- It was proposed that UTP TAF will be updated in accordance with the latest revision of the Appendix I to TAF TSI

- It was agreed that the revised Appendix I to UTP TAF would be subject to a vote using the written procedure. In connection with this, ERA agreed to provide the OTIF Secretariat with all the necessary information about the latest amendments to the Appendix I of TAF TSI

## **6. For discussion:**

### 6.1 Explanatory document concerning the procedure for UTP adoptions and modifications

CTE took note of explanatory document TECH-18011, endorsed its content and requested the OTIF Secretariat to publish it on the Organisation's website as an explanatory document for Articles 6, 8 and 8a of the APTU UR.

### 6.2. Strategy concerning the development of provisions covering infrastructure

- CTE took note of document TECH-18012
- CTE agreed with the proposed scope and aims defined in chapters 3 and 4 of the document
- CTE mandated WG TECH to develop proposals for suitable and feasible provisions concerning infrastructure, starting from a list of compatibility parameters established by the EU Agency for Railways. Non-EU MSs should be offered the possibility of adding to this list. The EU Technical Specifications for Interoperability concerning the different fixed installations should be used as a basis for the development of COTIF provisions
- WG TECH was asked to analyse the need for and potential use of an international infrastructure register, or registers, including the relevant specifications

### 6.3. Strategy concerning facilitation of route compatibility checks

- CTE took note of document TECH-18013
- CTE agreed with the aims set out in chapter 5 of the document
- CTE requested the WG TECH, in close partnership with ERA, to develop the parameters of the vehicles and infrastructure to be checked by railway undertakings and the procedures to be applied to check these parameters to ensure compatibility between vehicles and the routes on which they are to be operated. In terms of process these compatibility parameters should first be developed within the EU and, as a second step, they should be checked by non-EU states to decide whether additional parameters are necessary in order to take into account specific situations on their networks
- CTE invited the EU to keep CTE and WG TECH informed of the development and implementation of the registers for checking compatibility between vehicles and infrastructure in the EU
- CTE requested the WG TECH to follow closely the development of these EU solutions and, where relevant, other solutions, and to make proposals to the CTE for implementing provisions in accordance with the aims set out in chapter 5

### 6.4. Future development of vehicle admission requirements

- CTE took note of document TECH-18014 as modified at the meeting (Chapter 4)
- CTE agreed with the principles underpinning further development as set out in chapter 4 and modified at the meeting, and requested the WG TECH to use them, where relevant, as guidance when making proposals to modify the technical provisions of COTIF
- CTE noted that the compatibility between COTIF and EU legal provisions should be maintained

### 6.5. CTE work programme 2018/19

CTE took note of document TECH-18015 as modified at the meeting and the conclusions of the discussions of CTE 11 and requested WG TECH to focus its activities accordingly

## **7. Any other business**

### 7.1. Working group of legal experts

- CTE noted the establishment of the working group of legal experts
- CTE noted the possibility of requesting legal advice or assistance from the working group of legal experts on matters within the competence of CTE
- CTE noted that establishing the working group of legal experts has no effect or consequences on the competences of CTE as provided for by the Convention

### 7.2. Interfaces between wagons and extra-large RID tank-containers

CTE noted the presentation by Switzerland on extra-large tank-containers intended to be carried on flat wagons and the question as to whether the existing rules dealt sufficiently with the safety of this type of transport. CTE requested that the Joint Coordinating Group of Experts examine the case and present its views.

## **8. Next session**

CTE agreed that the next CTE meeting will be held in Bern at the Universal Postal Union in June 2019. However, the date of the meeting would be confirmed after coordination between the OTIF Secretariat and the EU.

## Welcome by the OTIF Secretariat

Mr François **Davenne** (Secretary General of OTIF) welcomed all the participants ([List of participants Annex I](#)). He reminded the meeting that the Revision Committee had recently considered and submitted to the 13<sup>th</sup> General Assembly for decision the draft new Appendix H to COTIF concerning the safe operation of trains in international traffic (EST UR)<sup>1</sup>. Based on this new appendix, the Committee of Technical Experts (CTE) would be able to lay down the general principles and responsibilities for the cross-border operation of trains for states that already fully apply APTU and ATMF. He also noted two strategies that would be discussed at CTE 11, i.e. the strategy concerning the development of provisions covering infrastructure and the strategy concerning facilitation of route compatibility checks, which would help develop railway interoperability internationally. He then opened the 11<sup>th</sup> session of CTE.

Mr Bas **Leermakers** (Head of the technical interoperability department) also welcomed the participants to the 11<sup>th</sup> session of CTE. He informed participants that there would be simultaneous interpretation from and into English, French and German and that the session would be recorded.

In connection with the follow-up to decisions taken by the 10<sup>th</sup> session of CTE, he informed the meeting that UTP TAF – telematic application for freight and amendments to GEN-A (Essential requirements), GEN-B (Subsystems) and GEN-C (Technical file) had entered into force on 1 December 2017.

Mr Leermakers also informed the meeting of developments that took place since CTE 10, including:

- 25 July 2017: the United Kingdom deposited its instruments of withdrawal of its 2006 reservation concerning the non-application of the CUI UR. However, on 22 December 2017, the United Kingdom again deposited an instrument of non-application of the CUI UR, which in accordance with Article 42 of COTIF, takes effect on 31 December 2018
- 7 December 2017: the OTIF Secretariat signed a Memorandum of Understanding with the International Union of Railways (UIC) with a view to strengthening cooperation
- 10 January 2018: creation of a joint OTIF/ERA register on CSM Assessment Bodies. He reminded the meeting that the Secretariat had informed the MSs of this and of the relevant procedures to be followed
- 24 January 2018: the OTIF Secretariat signed a Memorandum of Understanding with the Universal Postal Union (UPU) to promote and facilitate the transport of postal items by rail
- 27 February - 1 March 2018: the 26<sup>th</sup> session of the Revision Committee considered and submitted to the 13<sup>th</sup> General Assembly a new Appendix H to COTIF which would provide a common definition of safety responsibilities and a scheme for the safety certification of RUs. In addition, the Revision Committee adopted amendments to the APTU UR and ATMF UR to align them with the EU's fourth railway package, particularly so as to take into account the fact that ERA will be issuing vehicle authorisations in the EU. The Revision Committee also discussed the modification of Article 34 of COTIF, modification of the CUI UR and the need to harmonise access conditions

## 1. Approval of the agenda

On behalf of the **OTIF Secretariat** (hereinafter referred to as the **Secretariat**), Mr Leermakers explained that the provisional agenda and documents for the 11<sup>th</sup> session of CTE had been sent to participants with circulars on 12 March 2018 and 12 April 2018. At the meeting, the following two requests to amend the agenda were made:

- The **European Union** asked to add a new item 5.2 UTP TAF, since there had been some changes to TAF TSI, and
- **Switzerland** asked to add a new item 7.2 *Interfaces between wagons and extra-large RID tank-containers*, since this subject is not exhaustively covered by the relevant RID and UTP/TSI prescriptions

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<sup>1</sup> Règles Uniformes concernant l'Exploitation en Sécurité des Trains en trafic international (RU EST)

**Conclusion:** CTE adopted the agenda for the 11<sup>th</sup> session, as submitted in document TECH-18008, with the amendments made at the meeting ([Annex II](#))

## 2. Presence and quorum

The **Secretariat** reminded the meeting that the members of CTE entitled to vote were those Member States of OTIF that applied APTU or ATMF at the time of the session, i.e. 42 of the 50 OTIF Member States. It noted that the representative of the EU represented 26 EU Member States with voting rights.

The quorum for the meeting was one half of 42 Contracting States with the right to vote (in accordance with Article 20 § 2 of COTIF), i.e. **21** states. The Secretariat noted that **26** EU Contracting States and **4** non-EU Contracting States (CH, MK, RS and TN), making a total of 30 members, were present or represented in the meeting and that therefore the Committee was quorate.

**The representative of the EU** (Mr Bertrand Collignon) explained that with regard to the decisions to be taken, the EU would exercise the voting rights of 26 OTIF Contracting States which are also EU Member States, except in relation to agenda item 5, because the EU was not empowered to vote on this item for internal procedural reasons (see also the European Commission letter dated 7 June 2017, [Annex III](#)) He asked if the decision under agenda item 5 could be postponed and submitted for adoption through a written procedure.

The **Secretariat** noted that it was not possible for CTE to take a decision under agenda item 5 at the session. Mr Leermakers confirmed that a decision could be taken through a written procedure, which would be explained under item 5.

## 3. Election of chairman

The **Secretariat** nominated Switzerland, in the shape of Mr **Roland Bacher**, to chair the session. No other candidates were nominated. Mr Roland Bacher accepted the nomination and **CTE** unanimously elected Switzerland, in the shape of Mr Roland Bacher, to chair the Committee session.

The **Chairman** thanked the participants for entrusting him with the Chair of CTE 11. He highlighted that in the near future CTE would have an important role in the further development of OTIF's provisions in the technical interoperability area and for the future OTIF railway area. Therefore, CTE 11 would have to lay down the principles for carrying out further developments under COTIF, for developing the interfaces between the infrastructure and vehicles, route compatibility checks and for the further development of vehicle requirements. All of these subjects were set out in documents under agenda items 6.2 to 6.4.

## 4. For information:

### 4.1. Report from the Committee of Technical Experts' working group TECH

**Document:** [TECH-18009](#)

In accordance with the decisions made at the previous CTE (June 2017), the **Secretariat** informed CTE of the results of the working group TECH. The Secretariat had drafted a report and briefly presented the main points of relevance to the agenda of CTE 11.

WG TECH had held three meetings since the 10<sup>th</sup> session of CTE:

- 32<sup>nd</sup> meeting on 12 and 13 September 2017 in Brussels
- 33<sup>rd</sup> meeting on 12 and 13 December 2017 in Bern
- 34<sup>th</sup> meeting on 6 and 7 February 2018 in Belgrade

The **Secretariat** reminded the meeting that detailed minutes of each meeting are available.

The **Chairman** noted that CTE thanked working group TECH for its work.

**Conclusion:** CTE took note of the report without any further comments.

## 4.2. Status of notifications of the national technical requirements according to Article 12 APTU

The **Secretariat** informed the Contracting States (CS) that there were no changes to the status of notifications since the 10<sup>th</sup> session of CTE. It reminded the meeting that in accordance with Article 12 of APTU, each CS has an obligation to notify the Secretary General about their National Technical Requirements (NTRs). Following notification from the CS, the NTRs would be published on OTIF's website ([http://otif.org/en/?page\\_id=196](http://otif.org/en/?page_id=196)).

At present, the Secretary General had only received notifications from the EU States and Switzerland.

The **Chairman** thanked the Secretariat for the introduction. He noted that NTRs are not desirable for international traffic, but in view of the fact that the railway infrastructure had been built and developed nationally, these national features may exist and should subsequently be documented in the NTRs and be notified.

The **representative of the EU** (Bertrand Collignon) supported the Secretariat's initiative to make all the NTRs of the CS publicly available as soon as possible so that the railway undertakings (RU) are aware of them before they operate a vehicle internationally. Furthermore, he informed the meeting that one of the priorities for the European Commission in the forthcoming period would be to review the NTRs of EU MS and to try to eliminate those which are redundant or contradictory to the EU legislation.

**UNIFE** (Christian Zumpe) also supported the Secretariat's initiative to make all the NTRs of the CS publicly available. He asked whether there would be a process to verify whether NTRs are compatible with COTIF, especially those requirements which are related to compatibility with the network.

The **Secretariat** informed the meeting that when NTRs are notified, it did not check whether the notified rules were valid, as it had neither the competence, nor the authority to decide whether or not they are justified. The OTIF Secretariat would make the notified NTRs publicly available. Article 13 of APTU prescribes the process for classifying NTRs, which falls within the competence of CTE, and not of the OTIF Secretariat. The Secretariat explained that a process of coordination already exists in the EU, in which Switzerland takes part, and that as no other CS had notified their NTRs, there had been no need for CTE or the OTIF Secretariat to take action. However, when other non-EU CS notify their NTRs, CTE may need to consider a uniform coordination and classification process.

The **Chairman** noted that in accordance with Article 13 of APTU, CTE had some competences in relation to notified NTRs and suggested that WG TECH analyse this issue further.

**NB-RAIL** (Francis Parmentier) agreed with the Chairman. To support this, he explained that knowledge of NTRs is useful not only in terms of designing vehicles, but also for assessing compatibility between the vehicles and relevant infrastructure.

**RS** (Milan Popović) was of the view that no classification of the NTRs would be necessary in the near future. He noted that unlike EU law, APTU only requires CS to notify the Secretary General about NTRs related to the vehicle. He also noted that for the EU, all new vehicles must comply with the relevant technical requirements, but for OTIF, this only applied to vehicles used internationally.

**UNIFE** (Sebastian Giera) agreed with the representative of the EU that there are a significant number of NTRs in the EU that address the same issue or contradict EU law. He also suggested that some CS did not notify NTRs or notified them with errors.

**CER** (Christian Chavanel) agreed with UNIFE and NB-Rail. In his view, the notification of NTRs and their publication on OTIF's website was very important. He offered the OTIF Secretariat CER's support in publishing the NTRs and/or modification of the provisions if necessary.

**GB** (Vaibhav Puri) suggested that CTE focus on NTRs from the perspective of movement of vehicles rather than market opening. He added that it was also important to classify NTRs and describe them consistently. GB was of the view that unless the framework for the notification and classification of NTRs was clear, no clean-up could be carried out.

The **representative of the EU** (Bertrand Collignon) agreed with GB and informed the meeting that classification of the NTR had already started within the EU and would last until the middle of 2019. On



behalf of the EU, he suggested that the EU's experience could be the basis for further discussion on this matter at WG TECH and offered the OTIF Secretariat support to this end.

The **Chairman** summarised that the sector had underlined the importance of the NTRs and that making them publicly available would facilitate technical developments and international traffic. He also noted that the NTRs needed to be classified in order to be understood and evaluated in the right context.

The **Secretariat** suggested that this subject be put on the agenda of WG TECH, which should be asked to analyse the status of the NTRs and consider whether further action was necessary, including possible modification of the provisions of APTU Articles 12 and 13.

Following the discussion, **CTE concluded** this item as follows:

- CTE noted the importance of making the NTRs publicly available
- CTE requested WG TECH to analyse the need for further action, including possible modification of the provisions of APTU Articles 12 and 13 (publication and alignment of national technical requirements), bearing in mind that NTRs under COTIF only concern international traffic
- CTE welcomed CER's and the EU's willingness to support the OTIF Secretariat in the possible modification of the provisions of APTU Articles 12 and 13

### 4.3. Status of the development of the NVRs in the Contracting States

The **Secretariat** reminded the meeting that it was planned to establish National Vehicle Registers (NVRs) in accordance with Article 13 of ATMF. In addition, CTE had adopted the NVR specifications, which define the requirements for how the NVRs should be connected, so that the authorities of one CS should be allowed to access data relating to a vehicle registered in the NVR of the other CS's authority. It noted that vehicles which do not appear in the European Centralised Virtual Vehicle Register (EC VVR) may be stopped at borders, as the state into which the vehicles enter would not be able to check the status of such vehicles in the NVR of the state of origin.

The Secretariat informed CTE of the status of connectivity between the NVRs and the ECVVR in the CS as of 4 June 2018:

- **All 26 EU Contracting States** have their NVR connected to EC VVR
- **4 non-EU Contracting States** have their NVR connected to EC VVR: Norway, Serbia, Switzerland and Turkey
- **1 non-EU Contracting State** is in the process of being fully connected to EC VVR: Bosnia and Herzegovina (on-going internal procedure)
- **2 non-EU Contracting States** have no rolling stock of their own and do not therefore need an NVR: Monaco and Liechtenstein
- **The status of the other 9 Contracting States is not known:** Albania, Armenia, Algeria, Iran, Montenegro, Morocco, FYR of Macedonia, Tunisia and Ukraine.

For those states not yet connected to EC VVR, the Secretariat offered its help if requested.

The **representative of the EU** (Bertrand Collignon) informed the meeting of the latest developments in the European Vehicle Register (EVR), which would replace the existing NVR within the EU. The relevant implementing act would be dealt with in RISC 82 (end of June 2018). The preparatory work had been coordinated with the OTIF Secretariat. He highlighted that although the existing EC VVR system would be changed, the connection and functionalities for the non-EU CS would be maintained. He confirmed the EU's interest in ensuring that all vehicles remain visible to all users of the future EVR, no matter whether they are based in the EU or in non-EU CS.

In reply to CER's request to clarify whether the ARS functions (application, registration and data storage functions) of the future EVR would be centralised or decentralised, the **representative of the EU** confirmed that the draft proposal foresees a centralised register, which would however enable the existing functionalities with NVR of the non-EU CS to be maintained.

With regard to the current status of connection with the standard NVR, **ERA** (Christoph Kaupat) asked that all non-EU CS which make use of the standard NVR make sure that ERA has the contact details of the person responsible for the NVR so that the connection between the EC VVR and the CS NVR is (re)established as soon as possible.

The **Secretariat** suggested to CTE that the EU could present developments in the future EVR at the next WG TECH. This should allow WG TECH to analyse whether any additional activities might be necessary to ensure that connectivity between the future EVR and NVR of the non-EU CS is maintained.

The **Chairman** summarised that the priority was to maintain existing connections with the NVR of the non-EU CS, so that the exchange of information between registers is not interrupted.

Following the discussion, **CTE concluded** this item as follows:

- CTE noted the information from the OTIF Secretariat
- CTE invited the EU to present developments in the future European Vehicle Register (EVR) at the next WG TECH, including measures to ensure that the non-EU NVR and EVR remain connected
- ERA requested all non-EU Contracting States which make use of the standard NVR to make sure that ERA has the contact details of the person responsible for the NVR
- CTE urged those CS that have not yet fully implemented the NVR or that have not connected their NVR to the EC VVR, to do so as soon as possible. If they had any questions, they could contact the OTIF Secretariat.

#### **4.4. Status of the development of freight noise abatement measures in the European Union**

The **representative of the EU** (Bertrand Collignon) reminded the meeting that this subject had been discussed at CTE 10. He reported that ERA had prepared and submitted to the EC a draft recommendation on limited revision of the Noise TSI, which proposes that some parts of the railway networks within the EU should be declared ‘quieter routes’ on which only freight wagons complying with the Noise TSI or the UTP Noise (such as retrofitted wagons) will be permitted to run. He pointed out that there would be no need for wagons that operate only on other routes (other than quieter routes) to be retrofitted. Mr Collignon also explained that the proposed modification of the Noise TSI envisaged harmonised criteria which must be applied by EU MS when defining which parts of the network are quieter routes. It would be mandatory for all EU MS to apply these criteria. The main criterion is traffic density during the night. The draft implementing act would be discussed at RISC 83 in November 2018.

The **Secretariat** informed the meeting that it followed developments and discussions at EU level closely. It reminded the meeting that railway noise has a different priority in different states; for some, noise abatement is a priority, while for others it is not. In its opinion, the proposed “quieter routes” approach was compatible with COTIF.

With regard to the next steps, the Secretariat explained that, if the changes in the EU go in the direction as suggested by the representative of the EU, UTP Noise would need to be modified as well. However, it noted that the non-EU CS would not be bound by the harmonised criteria for defining quieter routes.

The **Chairman** summarised that the EC’s proposal on the Noise TSI would be discussed at the RISC meeting in November and that the OTIF Secretariat supported the “quieter routes” approach, which it agreed was compatible with COTIF. **CTE concluded** this item as follows:

- CTE noted developments in the EU on rail freight noise abatement and the resulting modifications to the Noise TSI
- CTE mandated WG TECH to analyse and discuss these developments, including the need for modifications to the UTP Noise. Subsequently, WG TECH would report its findings to the next CTE meeting

## 5. For adoption:

### 5.1. Modified UTP GEN-B

- **Document:** [TECH-18010](#)

The **Secretariat** informed the meeting that the modification of the general provisions concerning subsystems (UTP GEN-B) had been discussed at WG TECH 32, 33 and 34. Two months before this CTE the OTIF Secretariat had published document TECH-18010 that included a description of the context, substance and preparatory work, a proposal for decision and an annex that showed the modifications in track changes. In terms of substance, the definition of infrastructure, energy and trackside control-command and signalling subsystems had been harmonised and amended in a more generic way by stating that COTIF includes infrastructure only to the extent related to interfaces with the vehicles.

The **representative of the EU** (Bertrand Collignon) informed the meeting that in terms of substance, and after carrying out consultations within relevant EU bodies and institutions, the EU had no objections to the proposed amendments. However, due to the EU's internal procedures, the EU was not empowered to vote and therefore requested that the decision under this item agenda be postponed and be submitted for adoption through a written procedure.

The **Secretariat** confirmed that it had received the letter from the European Commission and had distributed it as a room document ([Annex III](#)).

With regard to the process for the written procedure, the Secretariat referred to Article 21 § 3 of the CTE's Rules of Procedure, and explained its elements as follows:

- If a decision could not be postponed until the next CTE meeting, it would be taken by means of the written procedure in accordance with the CTE's Rules of Procedure (Article 21 § 3)
- The quorum was the same as for a meeting of the CTE, i.e. no fewer than half of the CTE members
- If at least three members requested that the proposed measures be examined at a session of CTE, the written procedure would be terminated without result
- Following notification of the results of the voting procedure to all members of CTE, and if the decision concerned were adopted, it would enter into force on the first day of the sixth month following its notification (Article 35 § 3 COTIF)
- The documentation would be made available on OTIF's website:  
[Activities > Technical Interoperability > Voting Using the Written Procedure](#)

The Secretariat proposed the following next steps:

- At the meeting:
  - Chair of CTE 11 initiates a vote on agenda item 5 using the written procedure
  - A deadline for responses would be agreed
- After the meeting:
  - EU should notify the Secretary General whether it would exercise the voting rights of its MS
  - The Chair and OTIF Secretariat would send the members of CTE a circular indicating:
    - The subject and reason for the vote
    - The proposal
    - The deadline for responses
    - The EU's notification on exercising voting rights
- After receiving the votes in writing, the Secretary General would:
  - Confirm receipt of each vote in writing

- Notify all members of CTE of the results of the voting procedure
- If the proposal is adopted, notify all the OTIF Member States and regional organisations that have acceded to COTIF.

If the proposal is adopted, the process that follows the CTE decision includes:

- Notification
  - the Secretary General notifies the Member States of the modification in accordance with Article 35 § 3 of COTIF by means of a depositary notification circular
  - Entry into force takes place on the first day of the sixth month following the notification
  - Member States may object within a period of four months from the day of the notification. In case of objection by one quarter of the MSs, the modification will not enter into force
- Publication
  - APTU Article 8 requires that UTP be published on the website of the Organisation at least one month before entry into force

The **Chairman** summarised that the EU was not able to vote on this agenda item at this CTE, so CTE could not take decisions on this agenda item. There were no further comments on the proposed amendments to UTP GEN-B, so CTE approved them and mandated commencement of the vote using the written procedure.

The **Chairman concluded** this item as follows:

- The EU was not able to vote on this agenda item at this CTE. CTE could not therefore take decisions on this agenda item
- The delegates discussed the proposed amendments to the UTP GEN-B and had no further comments on the proposal
- The delegates discussed and agreed to vote using the written procedure in accordance with Article 21 of the CTE's Rules of Procedure
- The delegates requested the OTIF Secretariat and the Chair of CTE to commence the written procedure accordingly and as follows:
  - The EU would inform the OTIF Secretariat by 15 July 2018 how the EU would exercise the voting rights of its Member States with regard to the written procedure, after which the Secretariat would prepare the relevant documents and obtain a vote using the written procedure
  - The Contracting States would send the OTIF Secretariat their votes within a 3-month deadline approximately and therefore the Contracting States had to react by the end of October at the earliest

## 5.2. UTP TAF

**ERA** (Peter Mihm) informed the meeting of developments with regard to TAF TSI. In particular, he explained that a change control management procedure was in place in order that TAF TSI could be updated easily by modifying appendix I to the TAF TSI. This appendix described the specifications for information flows and the IT tools necessary for implementing TAF. Appendix I to the TAF TSI was reviewed in 2017 and the changes had been published in the Official Journal of the EU and entered into force on 16 March 2018<sup>2</sup>. Bearing in mind the importance of maintaining the established equivalence between OTIF and EU rules, ERA suggested that appendix I to UTP TAF be updated as well.

The **Chairman** thanked ERA for the information and noted the latest amendments to TAF TSI. In his view, CTE should react promptly to these amendments.

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<sup>2</sup> COMMISSION IMPLEMENTING REGULATION (EU) 2018/278 of 23 February 2018 amending the Annex to Regulation (EU) No 1305/2014

The **Secretariat** confirmed that appendix I of the UTP TAF refers to the technical documents published on ERA's website. It explained that ERA's amendments to the technical documents were not and could not be applicable to the UTP TAF automatically, as such modifications would imply modification of the UTP TAF. The modification of UTPs was solely within the competence of CTE. It was therefore necessary to submit a proposal to modify Appendix I for decision by CTE.

With regard to the procedure, the Secretariat suggested either to add this item to be voted on together with the UTP GEN-B in the written procedure or to vote on it at CTE 12 in a regular procedure.

The **Chairman** noted that delegates preferred the written procedure, as it should be faster.

In order to aid the process of amending the UTP TAF, the Secretariat asked that ERA, on behalf of the EU, inform the OTIF Secretariat of the substance and reasons which had led to the latest amendments to TAF TSI, and propose that the same modification be made to COTIF. This information could then be annexed to the proposal to amend UTP TAF, subject to a vote using the written procedure.

The **Chairman** summarised the discussion and concluded as follows:

- The delegates noted the information provided by ERA about the latest revision of the Appendix I to TAF TSI
- The delegates agreed that the revised Appendix I to UTP TAF would be subject to a vote using the written procedure together with the modifications to UTP GEN-B
- ERA agreed to provide the OTIF Secretariat with all the necessary information about the latest amendments to the Appendix I of TAF TSI.

## 6. For discussion:

### 6.1. Explanatory document concerning the procedure for UTP adoptions and modifications

**Document:** [TECH-18011](#)

The **Secretariat** reminded the meeting that this document responded to a question that had been raised by CER in CTE 10. The document was discussed in WG TECH 32 and 33 and described the usual process for the adoption or modification of UTP, possibilities for making urgent modifications to UTP and other possibilities for dealing with shortcomings in UTP.

The **Chairman** thanked the Secretariat for the introduction and noted that if endorsed by the CTE, the document would be published on OTIF's website as an explanatory document for Articles 6, 8 and 8a of the APTU UR.

**CER** (Christian Chavanel) thanked the Secretariat for the work and noted that the document entirely responded to CER's request.

**Conclusion:** CTE took note of the explanatory document TECH-18011, endorsed its content and requested the OTIF Secretariat to publish it on the Organisation's website as an explanatory document for Articles 6, 8 and 8a of the APTU UR.

### 6.2. Strategy concerning the development of provisions covering infrastructure

**Document:** [TECH-18012](#)

The **Secretariat** introduced the subject. It informed the meeting that the OTIF Secretariat had prepared a draft strategy paper which was subsequently discussed at and amended after WG TECH 33 and 34.

Document TECH-18012 described the scope and use of possible infrastructure requirements in COTIF (as defined in chapter 3), their aims (chapter 4), and listed and analysed some of the existing international infrastructure specifications as a benchmark (EU TSI, UNECE, ESCAP, FERRMED in chapter 5). In summary (chapter 7), the document confirmed that there is a legal basis in COTIF to include infrastructure requirements, but that this basis is limited to the interfaces with vehicles. The proposal for

decision (chapter 8) would mandate WG TECH to develop proposals for suitable and feasible COTIF provisions.

The **representative of the EU** (Bertrand Collignon) agreed with the principles and aims explained in the document. He welcomed a proposal where the list of compatibility parameters established by ERA would be the starting point for the development of infrastructure provisions. In addition, he informed the meeting that the document is also compatible with the objectives for the development of TSIs<sup>3</sup>.

**GB** (Vaibhav Puri) asked whether the document should not reflect more clearly the aim of making UTP compatible vehicles compatible with infrastructure built to UTP requirements as well.

**UNIFE** (Sebastian Giera) asked whether the future UTP infrastructure requirements, based on the INF TSI, would create any conflict within COTIF.

The **Secretariat** explained that the document addressed only a benchmark of the basic elements of infrastructure requirements. The analysis that would follow adoption of the document would aim to show whether the same infrastructure requirements should be taken over in UTP.

The **Chairman** summarised the discussion. **CTE** agreed on the following conclusions:

- CTE took note of document TECH-18012
- CTE agreed with the proposed scope and aims as defined in chapters 3 and 4 of the document
- CTE mandated WG TECH to develop proposals for suitable and feasible provisions concerning infrastructure, starting from a list of compatibility parameters established by the EU Agency for Railways. Non-EU MSs should be offered the possibility of adding to this list. The EU Technical Specifications for Interoperability concerning the different fixed installations should be used as a basis for the development of COTIF provisions
- CTE requested WG TECH to analyse the need for and potential use of an international infrastructure register, or registers, including the relevant specifications

### 6.3. Strategy concerning facilitation of route compatibility checks

#### Document: [TECH-18013](#)

The **Secretariat** informed the meeting that it had developed a draft strategy paper in response to WG TECH's discussions on registers. Initially, WG TECH had debated whether it was necessary to set up a register of infrastructure under COTIF. However, discussions at WG TECH had revealed that it may be better to focus first on the overarching purpose of the registers, namely facilitating route compatibility checks. Document TECH-18013 suggested that, in addition to or instead of registers, other tools may also be suitable to facilitate compatibility checks. These would include harmonised procedures and the definition of parameters to be checked. Article 6 § 2 of ATMF says that RUs are responsible for using vehicles only on compatible infrastructure. In addition, Article 15a § 4 of ATMF says that IMs must make available information about infrastructure characteristics to any RU operating on its network. Chapter 5 of the document therefore notes the following aims in developing provisions for route compatibility checks:

- Facilitate the checking, by RUs, of compatibility between the vehicles and the infrastructure on which they will run
- Harmonise as far as possible the procedures to be applied by RU and the input to be provided by the IM
- Suit the needs of the states and the actors pursuing full interoperability
- Take account of the operational, organisational and technical differences between states applying the provisions, in particular, those not pursuing full interoperability
- Not lead to undue costs for operational actors or the Contracting States

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<sup>3</sup> COMMISSION DELEGATED DECISION (EU) 2017/1474 of 8 June 2017 supplementing Directive (EU) 2016/797 of the European Parliament and of the Council with regard to specific objectives for the drafting, adoption and review of technical specifications for interoperability

The Secretariat introduced a proposal for decision (chapter 8), which, among other things, would mandate WG TECH to follow closely the development of solutions in the EU for checking route compatibility, and, where relevant, to make proposals for implementing compatible provisions in COTIF.

The **representative of the EU** (Bertrand Collignon) confirmed that ERA is in an advanced stage of development of drafting technical parameters and procedures for route compatibility checks with regard to vehicles as well as infrastructure parameters of RINF. This work would result in recommendations for amending the relevant TSIs. The objective was that all the modified specifications should be ready by 16 June 2019, when a renewed framework for safety and interoperability in the EU would take place.

**UNIFE** (Sebastian Giera) asked whether it was clear enough that *route compatibility within the EU* concerns the whole EU concept, rather than just checking the parameters between the vehicle and infrastructure. In his view, the EU concept, as defined in the EU's Interoperability Directive, differentiated between *technical compatibility* relating to the vehicle authorisation for placing on the market (Article 21) and *route compatibility* relating to checks before a vehicle is used (Article 23). He was of the opinion that *route compatibility checks*, as proposed in the document, had the same meaning as route compatibility checks in accordance with Article 23 of the Interoperability Directive.

**RS** (Milan Popović) was of the view that there was no need to modify the document, because from COTIF's perspective, *route compatibility checks* would only apply to vehicles that were already admitted, so the railway undertaking would not need to check *technical compatibility*.

The **representative of the EU** (Bertrand Collignon) agreed with UNIFE's clarification of the EU concept. However, in his view, the document clearly reflected the fact that the aim of the future provisions under COTIF should be to *facilitate the checking, by RUs, of compatibility between the vehicles and the infrastructure on which they will run*. In addition, the first two paragraphs of chapter 3 explained further the differences between the admission of the vehicle and further checks by the RUs. In his opinion therefore, the document did not need to be modified and he supported it.

**CER** (Christian Chavanel) supported the views of RS and EU and was of the view that the document was clear and correct and did not need to be modified. He pointed out that bodies representing the rail sector in the EU were of the opinion that this subject was not mature enough at EU level and still required further work.

**GB** (Vaibhav Puri) agreed with previous speakers and all the comments made and that the document did not need to be modified. He was of the view that the document differentiated compatibility and safe integration. He also noted that IMs would benefit in terms of their ability to assess the infrastructure in the scope of international traffic.

The **Chairman** summarised the discussion and **concluded** this item as follows:

- CTE took note of document TECH-18013
- CTE agreed with the aims set out in chapter 5 of the document
- CTE requested the WG TECH, in close partnership with ERA, to develop the parameters of the vehicles and infrastructure to be checked by railway undertakings and the procedures to be applied to check these parameters to ensure compatibility between vehicles and the routes on which they are to be operated. In terms of the process these compatibility parameters should first be developed within the EU and, as a second step, they should be checked by non-EU states to decide whether additional parameters are necessary in order to take into account specific situations on their networks
- CTE invited the EU to keep CTE and WG TECH informed about the development and implementation of the registers for checking compatibility between vehicles and infrastructure in the EU
- CTE requested the WG TECH to follow closely the development of these EU solutions and, where relevant, other solutions, and to make proposals to the CTE for implementing provisions in accordance with the aims set out in chapter 5

## 6.4. Future development of vehicle admission requirements

### Document: [TECH-18014](#)

Before introducing the subject, the **Secretariat** explained the reasons which had led to document TECH-18014 being drafted.

The Secretariat informed the meeting that at its previous meetings, WG TECH had discussed ways of simplifying the provisions and procedures for vehicle admission under COTIF. It reminded the meeting that although OTIF's technical provisions (APTU, ATMF and eventually Appendix H) are based mostly on and taken over from EU law, these provisions should nevertheless be meaningful not only for the EU and non-EU CS but also for states which might become CS in the future. Enlarging the scope was an aim in itself and was one of the strategic objectives of OTIF's work programme for 2018-2019.

In accordance with the conclusion of WG TECH 34 that the aim, objective and principles of the future development of vehicle admission requirements should be discussed in detail, the Secretariat had prepared document TECH-18014 accordingly. Chapter 4 of the document set out the principles to be used for further development, which were summarised as follows:

- The provisions should be useful and flexible for current and future CS
- Compatibility already achieved between COTIF and EU law must be maintained
- Where justified, simplify existing COTIF provisions (e.g. those linked to vehicle approval)
- It should be possible for regional organisations, other than the EU, to have legal relations defined within APTU and ATMF, such as the EU currently has. In this context, the feasibility of the following elements should be analysed:
  - o The current symmetry between EU law and ATMF as set out in Article 3a of ATMF
  - o The requirement for a 2-column layout in UTPs as set out in Article 8 § 9 of APTU
- The technical provision should consist of:
  - o Prescriptive rules to ensure interoperability
  - o Where relevant, complemented by recommended practices for efficient and harmonised solutions whose application is voluntary

Lastly, the Secretariat introduced a proposal for decision (chapter 5), which requested WG TECH to take the above-mentioned principles, where relevant, as guidance when drafting and revising the technical provisions of COTIF.

The **representative of the EU** (Bertrand Collignon) supported the geographical extension of COTIF and the document in general terms. With regard to the principles, he pointed out the importance of maintaining the established equivalence between OTIF and EU law, particularly in terms of COTIF/EU compatibility for vehicle admission/authorisation. In terms of simplifying provisions and procedures, in his view, modification of the requirements should be carefully examined, as EU provisions have a specific scope and purpose, and not all of them are relevant to COTIF. Furthermore, he highlighted the second paragraph of the fifth principle in chapter 4, and proposed to modify the text slightly:

*“Any feasibility analysis or proposal for modification of these provisions should be accompanied by concrete alternative proposals which ensure that no functionality will be lost, and by an analysis of the advantages and disadvantages of the proposed modifications.”*

In the EU representative's view, the proposed change referred to any possible modification, including possible removal of the 2-column layout. However, he highlighted that a precondition for dispensing with the 2-column layout would be the existence of an alternative that would make it easy to cross-reference EU and relevant OTIF provisions.

With reference to the EU's suggestion that the principles should highlight the importance of maintaining the established equivalence between OTIF and EU rules, the **Secretariat** proposed a new principle as follows:



“2. Compatibility between the COTIF technical provisions and provisions of EU law, as well as the continued mutual acceptance of vehicles authorised or admitted in accordance with equivalent provisions, are important aims.”

ERA proposed an editorial amendment to replace the word “approval” with “admission/authorisation” in the fourth principle:

“4. There may be potential to simplify some existing COTIF provisions which have already been taken over from EU law, for example those linked to vehicle ~~approval~~ admission/authorisation (consisting of verifications, declarations, certifications etc.).”

Bearing in mind the discussion at WG TECH 34, the **Chairman** asked the meeting if the principle related to the removal of the 2-column layout could be made more precise, as follows: “ - ~~The requirement for Doing-away with~~ a 2-column layout in UTPs as set out in Article 8 § 9 of APTU.” In this context, it would be clearer what kind of feasibility should be carefully analysed.

**GB** (Vaibhav Puri) was of the view that rather than analysing whether to dispense with a 2-column layout, there should be analyses on alternatives which could replace a 2-column layout.

The **Secretariat** noted that the possible alternatives had already been considered in the document: “...Any feasibility analysis or proposal for modification of these provisions should be accompanied by concrete alternative proposals which ensure ...” (the second paragraph of the fifth principle in chapter 4).

**DE** (Michael Schmitz) did not support the proposed amendment to refer to “doing away with”. He preferred the wording used in the German version, which stated that *the need* should be carefully analysed.

**UNIFE** (Sebastian Giera) agreed with DE and GB. He noted that as long as there were no alternatives, the 2-column layout should be maintained.

**CER** (Christian Chavanel) supported GB, DE and UNIFE, confirming that there should be no predetermined solutions and a clear alternative if the 2-column layout were removed.

The **Chairman** summarised the discussion with regard to the removal of the 2-column layout and withdrew his proposal. He **concluded** this item as follows:

- CTE took note of document TECH-18014 as modified at the meeting
- CTE agreed with the principles underpinning further development as set out in chapter 4 as modified at the meeting and requested the WG TECH to use them, where relevant, as guidance when making proposals to modify the technical provisions of COTIF
- CTE noted that the compatibility between COTIF and EU legal provisions should be maintained

## 6.5. CTE work programme 2018/19

### Document: [TECH-18015](#)

Before introducing the document, the **Secretariat** reminded the meeting of developments over the last decade with regard to OTIF’s technical provisions. Among other things, it noted the development of the UTPs which set out OTIF’s rules on the mutual recognition of vehicles ([Annex IV](#)) and explained what further developments could be expected. The Secretariat highlighted that in the forthcoming period a major challenge would be to keep the evolving EU TSIs and UTPs compatible and aligned. To achieve this, a joint and coordinated effort by both the EU and OTIF would be required.

With regard to the subject, the Secretariat informed the meeting that the aim of this item was to provide a comprehensive overview of the priorities and mandates for the next period. It highlighted the following areas of activity:

- Maintaining compatibility between COTIF and EU law
- Regional organisations – a feasibility analysis on whether regional organisations other than the EU might wish to accede to COTIF
- Preparation of the annexes to the new Appendix H (should the 13<sup>th</sup> General Assembly adopt the new Appendix H to COTIF)

- Development of infrastructure provisions (i.e. OTIF's infrastructure requirements)
- Route compatibility checks
- Interdisciplinary coordination (Joint Coordinating Group of Experts – JCGE)

The **Chairman** thanked the Secretariat for the introduction. He pointed out the importance of interdisciplinary coordination and invited the representatives of OTIF CS to take part in the JCGE meetings once the group was launched.

The **representative of the EU** (Bertrand Collignon) supported the Secretariat's proposal. He suggested that the decision on this item could be slightly modified to include the conclusions of the discussions of CTE 11. The EU's suggestion was tacitly adopted.

In response to Italy's request to provide the meeting with more detail about the future work of JCGE, the **Secretariat** confirmed that the discussion had already started with EC and ERA and that the EC and the OTIF Secretariat planned to organise the first meeting jointly by the end of 2018 or at the beginning of 2019.

**FR** (Cécilia Le Gal) asked whether the infrastructure requirements would be developed as part of the UTP for infrastructure.

The **Secretariat** explained that it would start drafting the UTP for infrastructure on the basis of the EU's TSIs concerning fixed installations, complemented with the categories of lines and recommendations concerning the rail freight corridors.

With regard to the interdisciplinary coordination (chapter 6), the **Chairman** asked if the role of CTE was clear enough and whether JCGE's recommendations would be submitted to CTE as well.

**DE** (Michael Schmitz) was of the view that after they had been submitted, the JCGE's recommendations should be dealt with further at the RID Committee of Experts and the Railway Interoperability and Safety Committee (RISC). Once developed in the TSIs, CTE would then transpose these specifications into the relevant UTPs. Nevertheless, he suggested that it would be useful if the JCGE's recommendations could also be submitted to CTE so that it would also be aware of the technical problems that needed to be resolved.

The **Secretariat** agreed with DE. It reminded the meeting that in accordance with *the conclusions of the RID – ATMF working group (TECH-16050-RID-ATMF)*<sup>4</sup>, questions for the JCGE could be submitted by any of the four Committees<sup>5</sup>, and any feedback, i.e. recommendations, should be submitted to these four Committees as well. The Secretariat proposed to amend the second sentence of the third paragraph as follows:

*“... The **relevant** recommendations prepared by the JCGE will be submitted to the **OTIF RID Committee of Experts, the EU Transport of Dangerous Goods Committee, the OTIF Committee of Technical Experts and the EU Railway Interoperability and Safety Committee (RISC), which will decide how to follow up the recommendations. ...”***

The **representative of the EU** (Bertrand Collignon) confirmed that the process of coordination between the four Committees was described in document TECH-16050-RID-ATMF. He then explained the diagram showing the coordination process ([Annex V](#)) proposed in the document.

The **Chairman** summarised the discussion and concluded that CTE took note of document TECH-18015 as modified at the meeting and the conclusions of the discussions of CTE 11 and requested WG TECH to focus its activities accordingly.

<sup>4</sup> Document TECH-16050-RID-ATMF was submitted to the 10<sup>th</sup> session of CTE, Bern, 13 and 14 June 2017

<sup>5</sup> The four Committees are: OTIF's RID Committee of Experts and Committee of Technical Experts (CTE) and the EU's Committee on the Transport of Dangerous Goods (EC TDG) and Railway Interoperability and Safety Committee (RISC)

## 7. Any other business

### 7.1. Working group of legal experts

Mr Aleksandr **Kuzmenko** (Head of legal department) informed the meeting of the establishment of the working group of legal experts, its status, tasks, functions and work programme. The working group's task would be to assist and facilitate the functioning of the existing organs defined in Article 13 § 1 of COTIF in the legal field and to ensure effective management of the Convention. It was highlighted that the functions of the working group would be limited to *providing non-binding opinions* to the OTIF organs, so that the competences of CTE (in this case) would remain the same as provided by the Convention. The working group would also periodically report its activities and any developments to the relevant organs of OTIF.

**MK** (Abdulkadir Isaki) asked whether the different legal traditions and systems of the OTIF CS would be taken into account in the work of this working group, as far as possible, at international level.

**UNIFE** (Sebastian Giera) asked whether it would be a standing working group with regular meetings, or an "ad hoc" working group to discuss particular subjects. He also asked whether the working group would draft or review legal texts or whether it would have another role.

Mr **Kuzmenko** agreed with **MK** on the differences in the legal systems of the CS. Nevertheless, the interpretation of international law should be uniform and this was ensured through COTIF. One of the aims of the working group would be to ensure a consistent and uniform legal approach. It would also take care not to create any additional fragmentation of the legal system with regard to new initiatives.

With regard to the working group of legal experts' status, he explained that it would be a *standing working group* with two meetings per year. It would be under the authority of the Secretary General, but would provide a service to all OTIF's organs. The working group would deal with COTIF's contractual rules, some general matters and some legal questions within the scope of CTE or RID, but would only take action at the request of OTIF's organs. This also opened the possibility for CTE and WG TECH to approach this new working group with questions of a legal nature. He highlighted that the competences of CTE and its working group or the RID Committee of Experts would not be affected.

In reply to UNIFE's question as to whom requests for interpretation of COTIF and related questions should be addressed, Mr. **Kuzmenko** explained that specific issues should be addressed to the working group of legal experts. All other questions or tasks, e.g. the modification or development of new provisions, would be dealt at CTE and its WG TECH. According to COTIF, all OTIF's organs are fully authorised to make relevant decisions, in line with their scope.

In reply to GB's request to clarify the legal status of this working group, Mr. **Kuzmenko** noted that the working group's role would be to advise OTIF's organs before they make a decision, although the organs could decide whether or not to accept or reject the advice. *Non-binding opinions (advice)* would be accompanied by reports explaining and analysing the issue concerned.

**DE** (Michael Schmitz) agreed that the scope of CTE was clear and included the technical and legal aspects of Appendices F, G and the future H. He was of the view that discussions within the working group of legal experts should only be of an advisory nature.

**NB-RAIL** (Francis Parmentier) agreed with **DE**. In his view, the working group should ensure consistency between OTIF's various legal texts.

In reply to CER's request to clarify the relationship between this working group and WG TECH, Mr. **Kuzmenko** explained that as a subsidiary organ of CTE, WG TECH would remain under the full control of CTE.

The **Chairman** summarised the discussion and noted that the assistance provided by the legal experts would improve the quality of the decisions made by CTE. He concluded this item as follows:

- CTE noted the establishment of the working group of legal experts
- CTE noted the possibility of requesting legal advice or assistance from the working group of legal experts on matters within the competence of the CTE

- CTE noted that establishing the working group of legal experts has no effect on or consequences for the competences of CTE as provided for by the Convention

## 7.2. Interfaces between wagons and extra-large RID tank-containers

**Switzerland** (Mr Christophe **Le Borgne**) gave a presentation on the new extra-large tank-containers developed by BASF and intended mainly to be used in rail transport. These tank-containers have a capacity of up to 73,500 litres and a payload of 66 tonnes. The load capacity is equivalent to two conventional tank-containers or one bogie tank-wagon. He noted that the tank-containers were approved in accordance with the current regulations<sup>6</sup>. However, some questions were raised as to whether the current requirements are adequate for these tank-containers, e.g. crash requirements, requirements for minimum tank wall thickness, crash buffer requirements, minimum distance between the headstock plane and the most protruding point at the shell extremity on tank-wagons etc. (not an exhaustive list). This subject had been discussed at the RID Committee of Experts' standing working group and at the working group on tank and vehicle technology. In order to analyse the case and possible consequences of this new technological development for RID and ATMF legislation, Switzerland asked that the CTE request the Joint Coordinating Group of Experts (JCGE) to analyse the case and present its view.

The **Chairman** thanked Mr. Le Borgne for his presentation. He added that these tank-containers could be removed from the carrying wagons. Both had been authorised separately, but the interface between them had not been assessed. Consequently, some modifications to the existing requirements for tank-containers and wagons might be required.

The **Secretariat** was of the view that this was a suitable topic for submission to the JCGE.

**IT** (Rocco Cammarata) highlighted the importance of this subject. He agreed that the interface between the tank-containers and carrying wagons was not clear enough. Bearing in mind that these wagons had already been authorised, he asked which provisions they had been marked in accordance with.

The **Chairman** reminded the meeting that separately, the tank-container and the carrying wagon fulfilled all the requirements, which had also been confirmed by the notified bodies (NoBo), so they were marked accordingly. However, as there were no relevant interface requirements to be considered, the vehicles could not be marked in this respect.

**DE** (Michael Schmitz) noted that NoBos had issued certificates for the tank-container and for the carrying wagon. However, as far as DE was aware, the tank-containers are not entirely compatible with the requirements of RID. In his view, when issuing the authorisation for the *whole vehicle*, the authorising body has to take into account the interfaces between the two certifications for the tank-container and for the carrying wagon. He supported addressing this subject to the JCGE under the heading of "innovative solutions".

**GB** (Vaibhav Puri) suggested that the CTE focus on the harmonised set of requirements or procedures for the interface between the tank-containers and carrying wagons.

The **Chairman** summarised the discussion and concluded this item as follows:

- CTE noted the presentation by Switzerland on extra-large tank-containers intended to be carried on flat wagons.
- CTE requested that the Joint Coordinating Group of Experts examine the case and present its views.

## 8. Next session

The **Secretariat** proposed the following dates for the next sessions of CTE, the standing working group WG TECH and other relevant OTIF bodies:

- 35<sup>th</sup> session of WG TECH on 11 and 12 September 2018 in Bern, hosted by Switzerland

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<sup>6</sup> The **tank** was designed in accordance with UIC leaflet 592 and complies with the provisions of RID. Bureau Veritas performed the tests and conformity assessment as NoBo;

The **wagon** was designed in accordance with EN 12663-2 and complies with TSI WAG. The Swiss Federal Office of Transport (BAV) had authorised the vehicle

- 13<sup>th</sup> General Assembly in Bern on 25 and 26 September 2018
- 36<sup>th</sup> session of WG TECH on 27 and 28 November 2018 (location to be decided – otherwise in Bern)
- CTE 12 in Bern on 12 and 13 June 2019 (provisional dates)

**Conclusion:** CTE 11 noted these dates and agreed that the next CTE meeting would be held in Bern at the Universal Postal Union. However, the date of the next CTE meeting would be confirmed after coordination between the OTIF Secretariat and the EU. (Post meeting note: the dates 12-13 June 2019 have been agreed).

## **9. Closing remarks**

The **Chairman** summed up by saying that CTE had worked very well in the cooperative working atmosphere. He also noted that some important documents had been discussed, i.e. strategies concerning the development of provisions covering infrastructure and facilitation of route compatibility checks and the future development of vehicle admission requirements. He noted that the delegates had discussed and agreed to vote on amendments to UTP GEN-B and UTP TAF using the written procedure. He thanked OTIF's Secretariat for preparing the documents on time. He also thanked the interpreters, the EC and ERA for their support and the EU and non-EU OTIF Member States and observers (CER, NB-Rail and UNIFE) for their active participation in the discussions. He also thanked GCC and OSJD for their participation.

**List of participants****Annex I****I. Gouvernements / Regierungen / Governments****Allemagne/Deutschland/Germany**

M./Hr./Mr. Michael **Schmitz**                      Leiter Stabsstelle 92  
Eisenbahn-Bundesamt  
Anerkennungsstelle für Benannte Stellen,  
internationale Angelegenheiten

**Autriche/Österreich/Austria**

**S'est excusée.**  
**Hat sich entschuldigt.**  
**Sent apologies**

**France/Frankreich/France**

M<sup>me</sup>/Fr./Ms Cécilia **Le Gal**                      Direction des référentiels  
EPSF – Établissement public de sécurité ferroviaire  
Division Système, interopérabilité et interfaces

**Italie/Italien/Italy**

M./Hr./Mr. Giorgio **Morandi**                      Ministero delle Infrastrutture e dei trasporti  
Direzione generale per il Trasporto e le Infrastrutture  
Ferroviarie - Div 5

M./Hr./Mr. Rocco **Cammarata**                      Head of Technical Standards of Vehicles Office  
Agenzia Nazionale per la Sicurezza delle Ferrovie

**ARY Macédoine/EJR Mazedonien/  
FYR Macedonia**

M./Hr./Mr. Abdulkadir **Isaki**                      Director  
Railway Safety Administration

**Royaume-Uni/Vereinigtes Königreich/  
United Kingdom**

M./Hr./Mr. Vaibhav **Puri**                      Head of Technical & Regulatory Policy  
Rail Safety and Standards Board (RSSB)

**Serbie/Serbien/Serbia**

M./Hr./Mr. Milan **Popović**                      Head of the department Railway safety and interoperability  
Directorate for Railways

**Suède/Schweden/Sweden**

M./Hr./Mr. Robert **Bylander** NSA Expert  
Swedish Transport Agency  
Sektion teknik järnväg

**Suisse/Schweiz/Switzerland**

M./Hr./Mr. Roland **Bacher** Projektleiter  
Bundesamt für Verkehr  
Sektion Zulassungen + Regelwerke

M./Hr./Mr. Christophe **Le Borgne** Chef de projet Interopérabilité  
Office fédéral des transports

**Tunisie/Tunesien/Tunisia**

M./Hr./Mr. Taoufik **Chebbi** Ministre  
Ambassade de Tunisie

**Commission européenne / Europäische  
Kommission / European Commission**

M./Hr./Mr. Bertrand **Collignon** Policy Officer - Single European Area  
European Commission - Directorate General  
for Mobility and Transport  
Unit C4 – Rail Safety and Interoperability

**ERA**

M./Hr./Mr. Christoph **Kaupat** ERA - European Union Agency for Railways  
Interoperability Unit

M./Hr./Mr. Peter **Mihm** Head of Technical Cooperation  
Interoperability Unit

**II. Organisations et associations internationales non gouvernementales  
Nichtstaatliche internationale Organisationen und Verbände  
International non-governmental Organisations or Associations**

**OSJD/OSShD**

M./Hr./Mr. Radovan **Vopalecky** Chairman of the V Commission on Infrastructure and Rolling Stock  
Organisation for Cooperation between Railways (OSJD)

**CER**

M./Hr./Mr. Christian **Chavanel** Interoperability & Standardization Director  
SNCF

**NB-Rail**

M./Hr./Mr. Francis **Parmentier** Vice Chairman  
NB-Rail

**UNIFE**

M./Hr./Mr. Sebastian **Giera** Senior Legal Counsel  
Bombardier Transportation GmbH

M./Hr./Mr. Christian **Zumpe** Homologation Manager  
Siemens AG



**III. États non membres de l'OTIF  
Nichtmitgliedstaaten der OTIF  
Non Member States of OTIF**

**CCG/GCC**

M./Hr./Mr.	<b>Khalid Al Olayan</b>	Director of Transport Department The Cooperation Council for the Arab States of the Gulf Secretariat General
M./Hr./Mr.	<b>Raimund Hanauer</b>	Director of Transport Planning Qatar Rail
M./Hr./Mr.	<b>Al-Malik A-Rahman</b>	Project Director Qatar Rail

**IV. Secrétariat  
Sekretariat  
Secretariat**

M./Hr./Mr.	<b>François Davenne</b>	Secretary General
M./Hr./Mr.	<b>Aleksandr Kuzmenko</b>	Head of legal department
M./Hr./Mr.	<b>Bas Leermakers</b>	Head of technical interoperability department
M <sup>me</sup> /Fr./Ms	<b>Maria Price</b>	First Officer
M./Hr./Mr.	<b>Dragan Nešić</b>	First Officer

**V. Interprètes  
Dolmetscher  
Interpreters**

M <sup>me</sup> /Fr./Ms	<b>Viviane Vaucher</b>
M <sup>me</sup> /Fr./Ms	<b>Dominique Baz</b>
M./Hr./Mr.	<b>Werner Küpper</b>
M./Hr./Mr.	<b>David Ashman</b>
M <sup>me</sup> /Fr./Ms	<b>Joana Meenken</b>

**Agenda as approved****Annex II****1. Approval of the agenda****2. Presence and quorum****3. Election of chairman****4. For information:**

4.1. Report from the Committee of Technical Experts' working group TECH

- [TECH-18009-CTE11-4.1](#)

4.2. Status of notifications of the national technical requirements according to Article 12 APTU (presentation by OTIF)

4.3. Status of the development of the NVRs in the Contracting States (presentation by OTIF)

4.4. Status of the development of freight noise abatement measures in the European Union (presentation by EU)

**5. For adoption:**

5.1. Modified UTP GEN-B

- [TECH-18010-CTE11-5](#)

**5.2. UTP TAF****6. For discussion:**

6.1. Explanatory document concerning the procedure for UTP adoptions and modifications

- [TECH-18011-CTE11-6.1](#)

6.2. Strategy concerning the development of provisions covering infrastructure

- [TECH-18012-CTE11-6.2](#)

6.3. Strategy concerning facilitation of route compatibility checks

- [TECH-18013-CTE11-6.3](#)

6.4. Future development of vehicle admission requirements

- [TECH-18014-CTE11-6.4](#)

6.5. CTE work programme 2018/19

- [TECH-18015-CTE11-6.5](#)

**7. Any other business**

7.1. Working group of legal experts

**7.2. Interfaces between wagons and extra-large RID tank containers**

**8. Next session**



Organisation intergouvernementale pour les transports internationaux ferroviaires  
Zwischenstaatliche Organisation für den internationalen Eisenbahnverkehr  
Intergovernmental Organisation for International Carriage by Rail

**Commission d'experts techniques  
Fachausschuss für technische Fragen  
Committee of Technical Experts**

**Room Document 1**

**12.06.2018**

(English only)

**11<sup>th</sup> Session of the Committee of Technical Experts  
Bern, 12 - 13 June 2018**

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**Letter from the European Commission**

**Voting of Member States which are also member of the European Union**



EUROPEAN COMMISSION  
DIRECTORATE-GENERAL FOR MOBILITY AND TRANSPORT

Directorate C - Land  
Director

Mr François Davenne  
Secretary-General  
Intergovernmental Organisation for  
International Carriage by Rail (OTIF)  
Bern  
Switzerland

By e-mail only:  
[secretary.general@otif.org](mailto:secretary.general@otif.org)

**Subject: 11<sup>th</sup> session of the OTIF Committee of Technical Experts, taking place on 12/13 June 2018, Bern, Switzerland**

Dear Mr. Davenne,

I am pleased to inform you that the European Union, represented by the Commission, Mr Bertrand Collignon, DG MOVE, will participate in the 11th session of the OTIF Committee of Technical Experts (CTE).

As regards the Agenda, pursuant to Article 6(4) of the EU-OTIF Agreement<sup>1</sup>, I would also like to inform you that the Union intends to exercise its voting rights in regards to decisions to be taken. However, in relation to agenda item 5, due to our internal procedures, the Union will not be empowered to vote during the meeting in Bern on 12 and 13 of June. Indeed, for decisions to be taken by the CTE which have legal effects, a formal decision of the Council of the European Union is required in accordance with Article 218(9) of the Treaty on the Functioning of the European Union.

We would therefore regrettably have to request that the decision under agenda item 5 is postponed and put for adoption through written procedure.

Yours sincerely,

*(e-signed)*

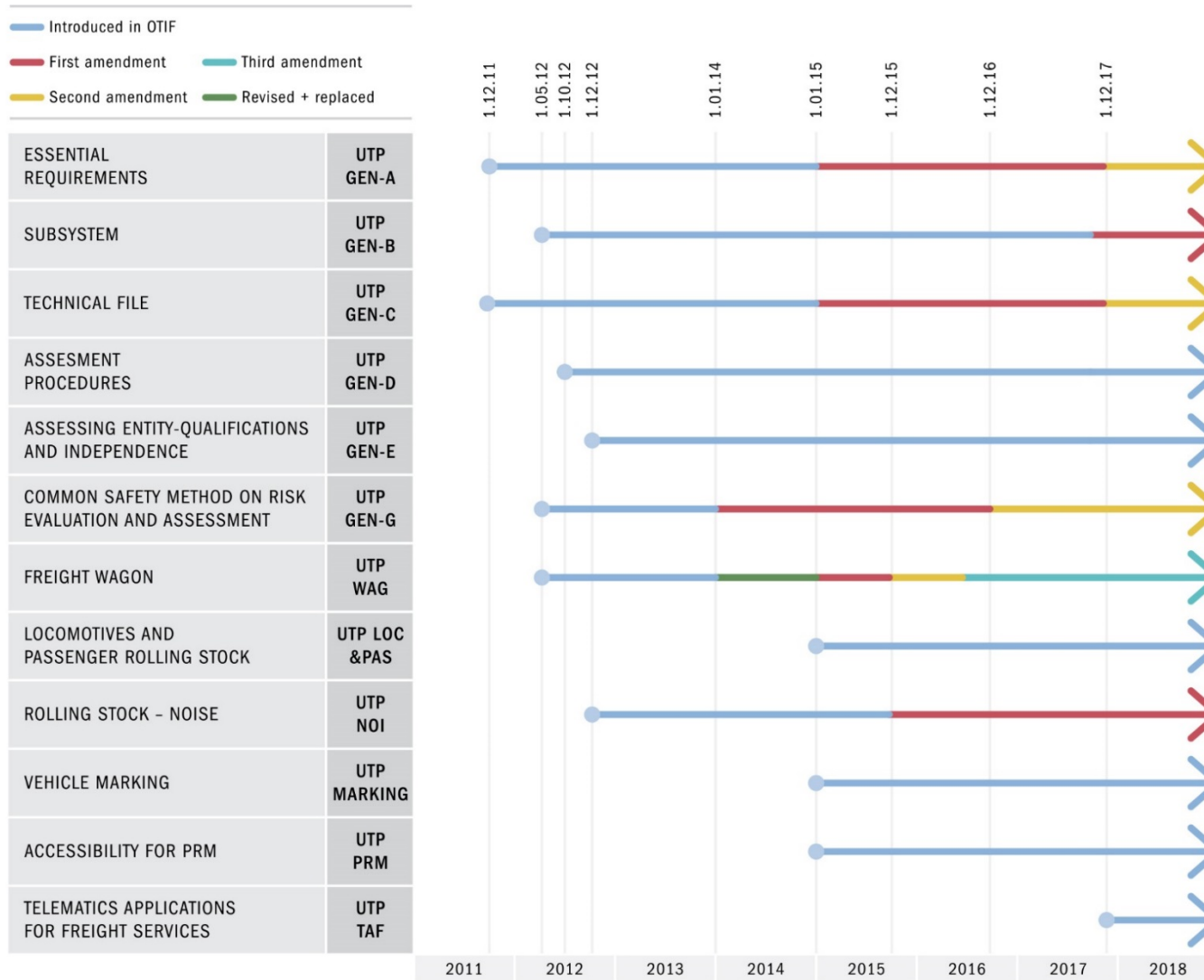
Elisabeth Werner

<sup>1</sup> Council Decision 2013/103/EU (OJ L 51, 23.2.2013, p. 1)

Commission européenne/Europese Commissie, 1049 Bruxelles/Brussel, BELGIQUE/BELGIË - Tel. +32 22991111  
Office: DM28 04/102 - Tel. direct line +32-2-295.95.06 – E-mail: [elisabeth.werner@ec.europa.eu](mailto:elisabeth.werner@ec.europa.eu)

### The diagram of development of the UTPs within COTIF

### Annex IV



The proposed process of coordination between OTIF and EU relevant Committees

Annex V

