



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

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

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Work Programme

## **1. INTRODUCTION**

From their inception, all the technical provisions of COTIF have been based upon provisions developed in the European Union. This is partly explained by the fact that 26 of the 42 states that apply APTU and ATMF are also members of the EU. The EU Member States have been developing their EU safety and interoperability provisions to connect their railway systems, which, for historical reasons, are often technically and operationally diverse.

The OTIF Secretariat will continue its intensive coordination with Member States, the EU institutions, and sector organisations in order to ensure that the interests of both EU and non-EU OTIF Member States are taken into account. This includes preparing amendment proposals to ensure that APTU, ATMF and the UTPs continue to be aligned with the provisions of the EU fourth railway package's technical pillar, which was adopted in 2016.

The following work programme presents the principles underlying a sustainable legal framework for international rail transport, the need to consider updating the UTP and ATMF annexes, and further development of the EST UR (Appendix H), and proposes a revision work plan.

## **2. PRINCIPLES UNDERPINNING REGULATORY DEVELOPMENTS**

In accordance with the decision taken by the Committee of Technical Experts at its 11<sup>th</sup> session (12-13 June 2018) the following principles are used as a basis to underpin further development of the technical provisions of COTIF:

1. Harmonisation of technical and operational rules is most useful if it is implemented over the widest possible geographical scale. Attracting new Contracting States is therefore relevant. COTIF provisions should make sense and be of use in different geographical areas and between states which may have different legal systems. The organisation of railways can be different as well, ranging from competitive open-access to fully integrated state monopolies. COTIF should build a bridge between these differences.
2. Compatibility between the COTIF technical provisions and provisions of EU law is an important aim, as is the continued mutual acceptance of vehicles authorised or admitted in accordance with equivalent provisions.
3. States may choose the level of interoperability suitable for them, i.e. border crossing of vehicles only or of complete trains. The technical provisions should cater to requirements at all levels and should therefore be appropriately flexible. However, this also justifies the development of far reaching interoperability provisions to be used only between states which want to facilitate the cross-border operation of complete trains.
4. Compatibility with the European Union legislation must be maintained. This does not mean that all aspects can be taken over, as the general scope of COTIF must be complied with. For example, elements from European Union legislation linked only to market opening, either for services or for products, should not be taken over as there is no basis for them in COTIF.
5. 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 admission/authorisation (consisting of verifications, declarations, certifications etc.). It could e.g. be analysed, in coordination with sector organisations, whether the number of different levels related to vehicle admission (i.e. 'interoperability constituents' (IC) level, subsystem-level and vehicle-level) are actually useful or could be reduced.

6. The technical provisions of COTIF should be attuned to the possible accession of additional regional economic integration organisations which meet the conditions of Article 38 of COTIF. Provided the relevant conditions are met, these organisations should be able to enjoy similar legal relations with COTIF as the EU currently enjoys<sup>1</sup>. In this context the feasibility should be analysed of:
  - The current symmetry between EU law and ATMF as set out in Article 3a of ATMF.
  - The requirement for a 2-column layout in UTPs as set out in Article 8 § 9 of APTU.

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 advantages and disadvantages of the proposed modifications.

7. The technical provisions should consist of:
  - Prescriptive rules to ensure interoperability, but limited in scope to what is essential in terms of the aims of the Convention and the scope of its appendices. This is a well-established principle of the existing UTPs.
  - Where relevant, complemented by recommended practices for efficient and harmonised solutions whose application is voluntary. Examples are Appendix C to the UTP/TSI for freight wagons and the draft provisions for interchangeable passenger coaches.

### 3. UPDATING UTPS

On 1.3.2019 the modifications to the APTU and ATMF UR adopted by Revision Committee at its 26<sup>th</sup> session entered into force. The modifications ensure continued compatibility with the provisions of the railway Directives applicable in the European Union in the context of the fourth railway package. Following the compatibility that has been established between the EU railway Directives and APTU and ATMF, as a next step the more detailed subsidiary provisions should be addressed.

Developments in EU regulations on implementing the fourth railway package, especially the TSIs, which are of relevance to COTIF, are expected to be finalised in May 2019. Bearing in mind the importance of maintaining the established equivalence between the relevant TSIs and UTPs, it should also be proposed to amend the latter. Some of the UTPs are already aligned with the latest provisions applicable in the EU, in particular:

- UTP GEN-A (Essential requirements),
- UTP GEN-B (Subsystems),
- UTP GEN-C (Technical file) and
- UTP TAF (telematics applications for freight).

Taking into account the resources and number of meetings of the OTIF Secretariat, it is not feasible to propose amendments to all remaining UTPs at once; prioritisation would therefore be necessary.

#### 3.1 FIRST PRIORITY UTP REVISIONS: 2019-2020

Discussions at WG TECH 37 revealed that priority in the revision process of the UTPs should be given to the so-called “freight package”, i.e. UTP NOI, UTP Marking and UTP WAG. They would be

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<sup>1</sup> The preconditions for such similar legal relations should be met, such as, for example, similar and compatible requirements concerning: approval of railway material, procedures and responsibilities concerning railway operations and maintenance; verification procedures and independence; qualification requirements related to the entities/authorities which perform the tests/checks.

discussed in 2019 and 2020 at WG TECH 38, 39 and 40, for adoption at the 13<sup>th</sup> session of the Committee of Technical Experts in 2020.

UTP WAG:

- Include thresholds to identify whether modification of a vehicle should be considered as a renewal or upgrade within the meaning of ATMF and if so, whether a new vehicle admission must be applied for;
- Include parameters of the vehicles and infrastructure (within the meaning of ATMF) to be checked by the RU 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;
- Close open points with regard to the specifications on test conditions for on track tests and variable gauge systems;
- Review specification of transitional periods.

UTP NOI:

- Include provisions addressing pass-by noise from noisy, older freight wagons which have not (yet) been equipped with modern silent brake blocks, in particular by allowing states to ban the use of such wagons on routes where they would cause the most nuisance.

UTP Marking:

- Ensure consistency with the revised TSI concerning Operation and Traffic Management and the revised NVR specifications.

### **3.2 UTP INFRASTRUCTURE**

In 2018 the development of the UTP Infrastructure was initiated. The UTP infrastructure was drafted in 2018 and 2019 on the basis of the ‘old’ TSI INF. In the meantime, the EU adopted a revised version of the TSI. As a consequence, WGTECH 37 proposed that the draft UTP should not be submitted for adoption at the 12<sup>th</sup> session of the Committee in 2019; instead, the draft should be updated and brought into line with the latest version of the TSI. This would mean that the UTP INF can be proposed for adoption at the 13<sup>th</sup> session of the Committee in 2020, together with the UTPs that are relevant to freight.

### **3.3 SECOND PRIORITY UTP REVISIONS: 2020-2021**

With regard to the UTP LOC&PAS and UTP PRM, as locomotives and passenger coaches are not used as intensively as freight wagons in international traffic, they can be accorded lower priority. The second set of UTPs would be discussed in 2020 and 2021 at WG TECH 41, 42 and 43 and would be adopted at CTE 14.

UTP LOC&PAS:

- Include specifications concerning interchangeable passenger coaches (inter-vehicle interfaces for passenger coaches);
- Include thresholds to identify whether modification of a vehicle should be considered as a renewal or upgrade (within the meaning of ATMF) and if so, whether a new vehicle admission must be applied for;
- Include parameters of the vehicles and infrastructure (within the meaning of ATMF) to be checked by the RU 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;

- Close open points with regard to the specifications on aerodynamic effects, passive safety and variable gauge systems and braking systems;
- Review specification of transitional periods.

UTP PRM insofar as it is relevant in the scope of COTIF.

The overview of UTPs, prioritisation of revision processes and the provisional timetable for modifying the UTPs is shown in the following diagram 1.

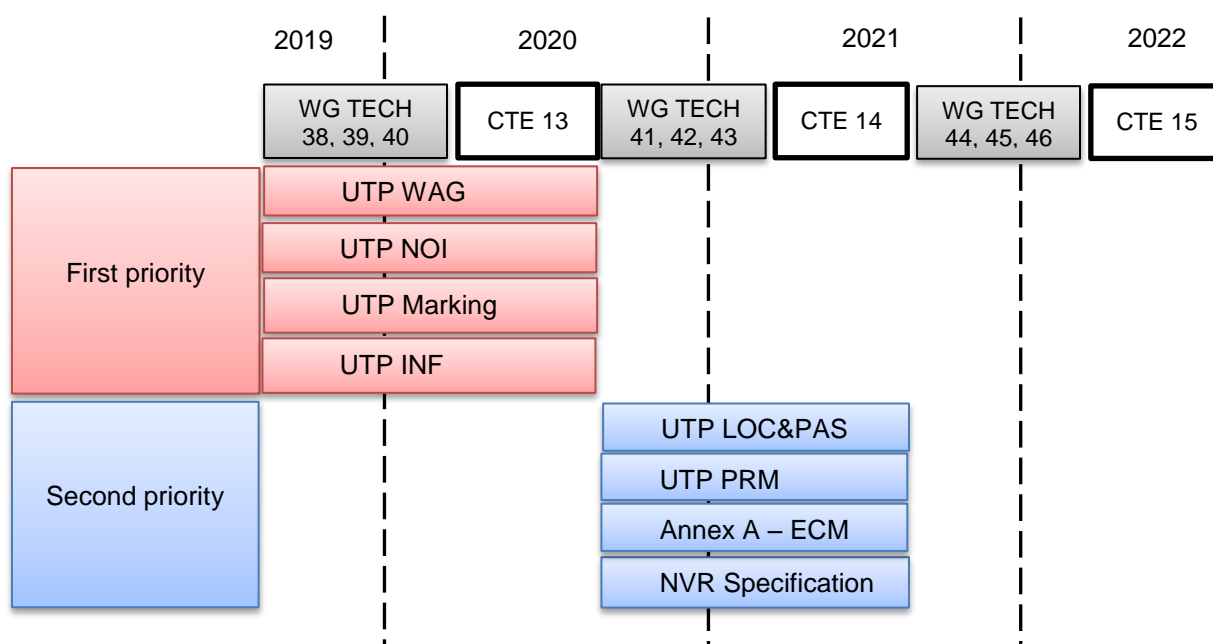


Diagram 1. The provisional timetable for modifying the UTPs

#### 4. DEVELOPMENTS RELATED TO ATMF ANNEX A (ECM)

The EU has proposed to extend the scope of ECM Certification to all vehicles and to make it mandatory, with some exceptions. These changes affect equivalence with ATMF Annex A and there is a risk that due to the lack of cross-acceptance between Certificates, vehicles may not be able to cross borders between the EU and other Contracting States. The OTIF Secretariat therefore envisages that ATMF Annex A should be reviewed and, where relevant, amended as soon as possible in order to ensure cross-acceptance of ECMs. The objective will be to work on this legal text together with the second UTP package.

#### 5. DEVELOPMENTS RELATED TO NVR CONNECTIVITY

The OTIF Secretariat was actively engaged in an open dialogue with OTIF Member States and the EU on developments concerning the National Vehicle Registers and the future European Vehicle Register (EVR), which, from 2021, will become the centralised register, replacing the NVR for the EU Member States. From 2024, the NVRs outside of the EU and the EVR will be disconnected and non-EU States must find their own solution to ensure connectivity. For this reason, the OTIF Secretariat considers it important to work with OTIF Member States on a solution and to make a proposal for adoption by CTE 13.

## **6. DEVELOPMENTS RELATED TO THE EST UR (APPENDIX H)**

In September 2018, at the 13<sup>th</sup> session of the General Assembly, a new Appendix H to COTIF was adopted. Entry into force of the EST UR is pending approval by two-thirds of the OTIF Member States which, according to previous experience, may take several years. After this required approval is obtained it will take approximately one year for the provisions to enter into force. The General Assembly recommended that the Committee of Technical Experts prepare proposals for annexes to the EST UR before the EST UR enter into force. The proposals could then be adopted by the Committee of Technical Experts without delay after the EST UR enter into force.

More particularly, in order to implement the requirements of the EST UR in a harmonised way, the annexes to be developed will include:

- A Common Safety Method for safety management system requirements to be applied by Safety Certification Authorities when issuing Safety Certificates and by railway undertakings and infrastructure managers when developing, implementing, maintaining and improving their safety management systems;
- A Common Safety Method on monitoring to be applied by railway undertakings and infrastructure managers and entities in charge of maintenance;
- The necessary links to the Common Safety Method on risk evaluation and assessment to be applied by the railway undertakings, infrastructure managers and entities in charge of maintenance when making any technical, operational or organisational change to the railway system;
- A Common Safety Method on supervision to be applied by Supervision Authorities.

Furthermore, the Committee of Technical Experts will consider the inclusion of harmonised procedures for the issuing of Safety Certificates.

Considering the relatively long time it might take for the EST UR to enter into force, it is proposed not to give the development of these annexes priority, but to start developing them once the UTPs have been updated in accordance with this work programme.

## **7. PROPOSAL FOR DECISION**

The Committee of Technical Experts adopts the priorities and provisional timetable for the revision of UTPs and other provisions under the scope of the APTU UR, the ATMF UR and the EST UR set out in this document and requests the standing working group (WG TECH) to draft proposals to modify or establish the technical provisions of COTIF accordingly and submit them to the Committee for approval.

## Overview of UTPs and prioritisation of revision processes

