



Organisation intergouvernementale pour les transports internationaux ferroviaires

Zwischenstaatliche Organisation für den internationalen Eisenbahnverkehr

Intergovernmental Organisation for International Carriage by Rail

WG TECH

33rd Session

The Minutes

Bern, 5-6.12.2017

DISCUSSION

Welcome by the OTIF Secretariat

Mr Bas Leermakers (head of OTIF's technical department) welcomed all the participants ([List of participants Annex I](#)), particularly those attending the session for the first time: Ms. Stan from Romania, Mr. Collignon from the European Commission and Mr. Daoud from ERA and then opened the 33rd session of WG TECH in Bern.

1. APPROVAL OF THE AGENDA

The **Secretariat** explained that the provisional agenda had been sent to participants with the invitation on 5 October 2017 ([circular TECH-17041](#)). Since there were no objections, the agenda was adopted accordingly.

Conclusion: WG TECH approved the agenda for the 33rd session ([Annex II](#)).

2. GENERAL INFORMATION (FROM THE OTIF SECRETARIAT)

The Secretariat informed the meeting that the texts adopted at CTE 10, i.e. the new UTP TAF and three amended UTPs: UTP GEN-A, UTP GEN-B, and UTP GEN-C entered into force on 1 December 2017.

The Secretariat informed the meeting of the developments since the 32nd WG TECH:

- The 2nd OTIF Secretariat seminar held on 14 September 2017 at ERA's premises in Valenciennes, where COTIF and its appendices were explained to the staff of ERA.
- The OTIF Secretariat had prepared the CTE's letter and after it had been signed by the chair of CTE 10 (on 16 October) it had been submitted to the 26th session of the Revision Committee. The letter is publicly available on OTIF's website¹.
- The OTIF Secretariat and the OSJD Committee held an annual management meeting on 14 November 2017, where they informed each other about their activities and confirmed the good cooperation between the two organisations.

In addition, the OTIF Secretariat informed the meeting that the Treaty between the EU and South-East European parties establishing a Transport Community (*in the Balkan region*) was signed in Brussels on 9 October 2017.

With regard to the current geographical scope of COTIF and its appendices, the meeting was informed that there had been no changes since the previous (32nd) WG TECH meeting.

3. ELECTION OF CHAIR

According to the procedure, the **Secretariat** asked for nominations for the chairs from the delegates. The Secretariat proposed Mr Roland Bacher (Switzerland) to chair the session. No other nominations were proposed. Mr Bacher accepted the nomination and WG TECH unanimously elected Switzerland, in the shape of Mr Roland Bacher, to chair this session.

The Chairman thanked WG TECH for the trust it had placed in him.

¹ Activities > Revision Committee > Working Documents; (http://otif.org/en/?page_id=126)

4. APPROVAL OF THE MINUTES OF THE 32ND SESSION OF WG TECH

Document: [WG TECH 32 PVM](#) Provisional Minutes of the 32nd session

On 12 October 2017, the **OTIF Secretariat** had sent the provisional minutes to delegates who had attended the 32nd session of WG TECH (12-13 September 2017). For the attention of WG TECH 33, the Secretariat had uploaded a version of the provisional minutes with the comments received before 8 November. Comments were received from the EC, ERA and RS. The comments submitted reflected more clearly what was said at the meeting, without altering the substance. On 27 November ERA submitted additional comments which were shown on the screen and subsequently agreed.

Conclusion: The minutes of the 32nd session of WG TECH were approved with the corrections as suggested by EC, ERA and RS.

5. ANALYSES FOR DISCUSSION

a) Draft proposal for modification of UTP GEN-B

Document: [TECH-17050](#) Text of the draft proposal

The **Secretariat** presented the amendments on the screen and explained that the amendments now being discussed were in line with the results of the discussion at the previous meeting.

CH proposed that point 2.3 could be clarified in more detail, and proposed the following modification to the left-hand column:

“2.3 COTIF includes the trackside control-command and signalling ~~this only~~ to the extent related to the interfaces with the vehicles.

The **Chairman** noted that WG TECH agreed tacitly with the draft proposal presented by the Secretariat, including the editorial amendment proposed by CH, and subsequently requested the OTIF Secretariat to prepare the draft amended UTP GEN-B for adoption at CTE 11.

b) Draft strategy concerning the development of UTP(s) covering infrastructure

Document: [TECH-17045](#) Draft strategy paper

The **Secretariat** had prepared draft strategy paper TECH-17045 in order to facilitate discussion. It noted that there was a legal basis in COTIF to include infrastructure requirements, but limited to the interfaces with vehicles. COTIF only deals with international traffic, but most infrastructure is not used exclusively for international traffic, but also for national traffic. Bearing in mind that there is no one-size-fits-all solution when it comes to infrastructure specifications the OTIF Secretariat suggested that simply transposing TSIs into UTPs would probably not be the best way forward. It questioned in particular whether the OTIF requirements should be of a mandatory nature. At the same, compatibility between EU law and COTIF should continue to be ensured. It suggested therefore the following way forward:

1. OTIF to contact states and partners to create an overview of which infrastructure specifications are used in Europe, Asia and Africa (not limited only to OTIF's Contracting States)
2. List and catalogue the data gathered under point 1
3. Agree on the purpose and legal form of COTIF's provisions concerning infrastructure (mandatory provisions or recommendations)
4. Develop COTIF's provisions concerning infrastructure and address the need for an international infrastructure register, including its specifications
5. Develop the infrastructure register.

The **Chairman** thanked Mr Leermakers for the introduction to the document. He proposed that this subject be discussed gradually, i.e. in four stages:

1. Discuss whether the paper is correct and complete
2. Discuss the purpose of possible infrastructure requirements and whether it is sufficient to focus only on compatibility between vehicles and trains on one hand and infrastructure on the other
3. Discuss how to proceed further
4. Discuss whether CTE 11 should take a decision or whether it is sufficient just to inform CTE 11 about this subject.

The WG TECH tacitly agreed to these four stages, after which the Chairman opened the discussion.

The representative of CER wondered whether a further increase in interoperability within the existing legal framework of COTIF was foreseen and whether it might be necessary to broaden the current aim of COTIF to facilitate international traffic (*Article 2 of COTIF*). In his point of view, before including infrastructure parameters of the non-EU States, as suggested, the first step to be defined was what kind of parameters need to be provided, i.e. whether to increase interoperability or whether the aim is to have uniform infrastructure in all States at some point in the future. He also wondered whether infrastructure requirements should be adjusted to vehicle specifications or whether the issues should be looked at from another perspective, where vehicle requirements should be adjusted to infrastructure specifications.

In response to UNIFE's question as to whom (possible) infrastructure requirements are addressed, i.e. to the rail supply industry or to those who would like to upgrade the infrastructure, the **Secretariat** explained that the infrastructure provisions of COTIF would primarily be addressed to states, which would then require companies on their territory to comply with them. It also confirmed that UTP INF would not include specific requirements for vehicles.

RS preferred the option in which COTIF would include requirements for all fixed subsystems, each subsystem should be subject to one specific UTP, where the requirements related to interfaces with the vehicles should be mandatory and other requirements could be voluntary.

CH agreed with CER and noted that extending COTIF's remit would require the creation of a target system and a strategy where such development would be defined. The concept: interoperability beyond the EU might be an indication of how to proceed further, and in particular, that it would be better to progress significantly with a limited group of countries rather than not progressing at all with all countries. In its view, minimum infrastructure requirements would be needed, at some point, to facilitate interoperability. CH supported the OTIF Secretariat's proposal to provide an overview on infrastructure requirements which today are applied by the non-EU States and suggested a step-by-step approach where the first step would be to determine whether interoperability is required between the non-EU States themselves.

FR was of the view that in order to support interoperability, both rolling stock and infrastructure should be covered by COTIF, but limited to what is essential, i.e. the provisions should be limited to interfaces and not cover detailed design, construction etc.

DE noted that in the EU, not all infrastructure requirements are defined in TSIs. For bridges, for example, the only requirements harmonised in the TSIs are those related to the interface between infrastructure and vehicles. Other infrastructure requirements are defined in international or national norms. If the UTP on infrastructure were to introduce new categories of infrastructure, beyond those in the TSI, these categories should also be reflected in the rolling stock UTPs in order to manage the interfaces between infrastructure and vehicles. Furthermore, DE suggested separating the development of infrastructure specifications from the development of the infrastructure register, due to different development processes. In terms of the legal form, DE suggested that recommended practices might be more suitable than mandatory requirements.

The **Secretariat** reminded the meeting that the development of infrastructure provisions fitted the remit discussed at the 12th General Assembly to develop interoperability beyond the EU. The individual

ambitions of Member States were probably not all the same, but as COTIF allows opting-out of certain provisions, it would be justified to provide a full set of provisions to suit the needs of the most ambitious among the Member States. This would include infrastructure requirements. The states at which these developments should be mainly targeted are states that do not apply EU law, as states that do apply EU law already have a comprehensive set of provisions to support international traffic. It agreed with the previous speakers that the development of infrastructure/related requirements should be a careful process as it targets OTIF MS that were not participating in this meeting.

UIC had a comment that an infrastructure parameter (“*Authorised mass per linear meter*”) was missing from chapter 5. The **Secretariat** confirmed that the list of parameters in the document was not exhaustive and that the said parameter could be included.

ERA suggested that it might be useful to investigate further the so-called “FERRMED standards”², i.e. the common technical railway standards intended to be implemented in the major rail freight networks in the EU and neighbouring states and which among other things, promote Euro-Asian freight corridors.

The **Chairman** summarised the discussion so far and noted that WG TECH welcomed the idea of collecting data from the non-EU States, as proposed by the Secretariat. He also noted that the legal basis of COTIF and EU recognises a need for interoperability, i.e. technical harmonisation, and that WG TECH should focus on defining requirements which permit the movement of trains across borders. Lastly, he noted ERA’s suggestion to explore further freight corridors throughout Europe (FERRMED standards). The **Chairman** then asked WG TECH how to proceed further, whether to develop UTP INF or whether submitting the relevant information to the CTE 11 would be sufficient. He reminded the meeting that WG TECH should provide all the information which would then be followed by the relevant decision of the CTE 11.

RS was of the view that each subsystem should be subject to one specific UTP, thus infrastructure requirements should be specified in UTP INF, CCS requirements in UTP CCS etc.

DE reminded the meeting that within the EU, there were several infrastructure-related TSIs, for example, ENE TSI, CCS TSI, SRT TSI etc. In its view, all of them should be concerned when developing infrastructure requirements under COTIF. In addition, there were other requirements not listed in TSIs, such as for level crossings, which might also needed to be taken into consideration. Lastly, he asked whether there should be a deadline after which these infrastructure requirements must be applied (implemented).

With regard to the transposition of infrastructure/related TSIs into UTP INF, the **Secretariat** stressed that the TSIs aimed at setting an ‘optimal level of technical harmonisation’ at EU level, by taking into account the heritage systems in each states. He noted that this ‘optimum level of harmonisation’ for the EU meant, for example, four levels of voltage and frequency of the energy subsystem and two platform heights in the PRM TSI. It could not be taken for granted that these four energy systems and two platform heights would also reflect the ‘optimum level of harmonisation’ for all other States. Therefore, technical specifications used outside the EU should be carefully examined as well.

In addition to what had already been said by the Secretariat, **NB Rail** reminded the meeting of the scope of the EU’s interoperability directive, which states, among other things, that “an optimal level of technical harmonisation shall be defined allowing *to facilitate, improve and develop international rail transport services within the European Union and with third countries*”. Therefore, in its point of view, the ambition of the EU was to find solutions not only suitable to the EU but to third countries as well.

Following the remark of the Secretariat, **DE** suggested that even if additional categories to those defined in the EU were needed, these infrastructure requirements should in any case be mirrored by the relevant vehicle requirements, as this was the basis for interoperability.

² <http://www.ferrmed.com/?q=en/ferrmed-standards>

The representative of EC (Bertrand Collignon) agreed with DE and stressed that the *optimal level of harmonisation* changes over time. Step by step the differences between the different rail systems throughout the EU would converge into a common system.

DE was of the view that a draft decision paper should have two parts/chapters: the first, where legal feasibility would be examined, i.e. the scope and substance of possible infrastructure requirements, and the second, in which the needs of the non-EU States would be analysed.

CER agreed with DE.

RS agreed with DE. He suggested that UTPs related to the fixed subsystems should be limited to the new, renewed or upgraded railway infrastructure used for the international traffic. Each such UTP should have two parts: mandatory requirements (related to the interfaces with vehicles) and requirements whose application is voluntary (covering all the rest).

The **Secretariat** was of the opinion that it was essential to involve the states that are concerned by these developments, but do not attend WG TECH. It also suggested that infrastructure requirements in COTIF might be of interest to international development banks, in the sense that they could require application of the technical provisions when financing infrastructure projects.

NB RAIL was in favour of introducing a methodology that envisaged step-by-step goals, instead of defining a single overall goal. In his view, it would be sufficient just to concentrate on one or two feasible and achievable objectives and then to extend further activities to the technical interfaces. He reminded the meeting about the experience in the application of freight corridors throughout Europe, whose goals had not been reached even after 20 years.

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

1. WG TECH discussed document TECH 17045. It invited those interested to submit ideas to OTIF Secretariat on how it could be improved and developed further, but not later than 8 January 2018
2. WG TECH noted that although important, the process of developing infrastructure requirements was not urgent
3. WG TECH had requested the OTIF Secretariat to make the following amendments to the document:
 - a. The change as suggested by UIC
 - b. include the aim of developing infrastructure requirements within COTIF, i.e. the “ambition” of the process
 - c. additional analysis of the “FERRMED standards”
 - d. add time planning on developing infrastructure requirements.
4. The OTIF Secretariat should involve other interested non-EU states (not limited only to OTIF CS) in the process of developing infrastructure requirements
5. WG TECH noted that there a formal CTE 11 decision would be required on further steps in developing infrastructure requirements, i.e. to mandate WG TECH further to develop UTP INF, or to prepare a recommendation on how non-EU States could harmonise infrastructure requirements.

c) Feasibility of the development of registers to check compatibility between train and infrastructure

Document: [TECH-17044](#) Discussion paper

The **Secretariat** introduced this document, the purpose of which was to set out the views of the OTIF Secretariat to support a discussion with regard to registers for route compatibility checks. It stressed that ATMF prescribed that RUs are responsible for using vehicles only on compatible infrastructure and that

IMs are obliged to make available (*to any RU operating on its network*) the elements relating to the infrastructure characteristics. The procedure of compatibility checks is not regulated in COTIF, therefore each state is deemed to have established the relevant rules and procedures and, if necessary, registers for checking compatibility between vehicles and infrastructure. The Secretariat explained that within the aim of further supporting interoperability in terms of complete trains crossing borders, as per the draft new Appendix H, a register of infrastructure is useful or even necessary. Finally, it noted that the development of the infrastructure register is linked to the development of infrastructure specifications in a way that the relevant values could only be registered once the infrastructure parameters are defined.

The **Chairman** thanked the Secretariat for the introduction and asked the meeting whether there was agreement on the way forward as suggested in chapter 6.

RS welcomed the paper, but not the suggested way forward. In its view, the first operating RU would be responsible for the train composition within the entire international route, no matter how many RUs were to operate the train concerned. Therefore, RS suggested the development of both an infrastructure register and a vehicle type register as soon as possible. With regard to the hosting of such registers, RS suggested that it might be centralised in ERA, as the relevant specifications would be common to both EU and OTIF, and as ERA already hosted joint OTIF /EU registers for ECM and VKM and provided a Virtual Vehicle Register for NVRs (*i.e. a search engine that allows users to retrieve data from all connected NVRs*). Otherwise, such registers could be hosted by the OTIF Secretariat or even decentralised by the OTIF CS themselves. The specification of both registers should be common in entire OTIF area and prescribed by OTIF.

FR agreed with RS that an infrastructure register and vehicles type register were needed. However, it supported the development the Secretariat suggested, bearing in mind the development of Appendix H. In addition, FR wondered whether the infrastructure register would be the same as RINF in the EU, which FR thought was a very complex tool. FR was of the view that this matter was not urgent and that it would be useful to rely on the EU's experience once RINF was fully implemented and operational.

ERA (Christoph Kaupat) reminded the meeting that RINF, as of today, was not fully operational and was used for administrative purposes instead of for real-time operational purposes. Nevertheless, he noted that it would also be a mistake to consider RINF as just a register of the infrastructure data, instead of a tool which supports the process of assessing the route compatibility between the vehicle and infrastructure. With regard to the suggestion that ERA extend its services and products to the non-EU OTIF MS, he said it was premature to discuss this. He also added that there might be some other legal concerns that need to be resolved, such as software and licenses, property rights etc.

The representative of EC (Michaela Strohschneider) agreed with ERA and stressed that there might be some technical, legal and financial limitations in using RINF. The RINF was introduced by the EC's implementing decision³, based on which ERA is responsible for setting up and managing the interface that would allow registers of the infrastructure of the EU MS to be consulted. In addition, she also explained that the RINF was technically designed to accomplish the needs of the EU MS. Therefore, any possible extension that would include states other than EU MS would require amendments to the abovementioned decision, followed by the extension of the budget. She suggested that it might also be useful to obtain information from the network management system that exists in the non-EU MS.

The **Secretariat** agreed with RS that in addition to the infrastructure register, a vehicle type register would also be needed if these registers were to be used for checking the compatibility between vehicle and infrastructure. However, compatibility checks can also rely on tools other than registers, as current practice proves. It also agreed with FR that the complexity of the RINF could be a limitation for some OTIF MS. In this context, it reminded the meeting that as of today not all OTIF CS had even fully implemented NVR, which by comparison is a relatively simple register. Therefore, the Secretariat saw a risk that a complex register such as RINF would be even more difficult to properly implement by the CS.

³ Commission implementing Decision of 26 November 2014 on the common specifications of the register of railway infrastructure and repealing Implementing Decision 2011/633/EU

Any plan for establishing an infrastructure register should be both realistic and feasible. It agreed with ERA that it was premature to discuss the architecture and hosting of a possible infrastructure register.

DE highlighted the importance of the infrastructure register and the benefits of it for the railway sector, especially in the light of the ongoing modifications to LOC&PAS TSI. It wondered about the possible requirements and level of urgency of the non-EU states in developing requirements for the infrastructure register. He informed that DB Netz participated in the RINF WG of the Agency to support defining such requirements. He agreed with FR about the need to keep WG TECH informed about the implementation and use of RINF in the EU. Lastly, it was of the view that the information about the infrastructure is more available at the infrastructure managers than at the competent authorities.

CER supported the Secretariat's suggestion to postpone discussing the creation of registers until after the new Appendix H is adopted. In its view, the catalogue of parameters should be discussed first and then the development of registers. It supported FR and DE with regard to keeping WG TECH informed about the RINF developments and implementation in the EU.

NB RAIL agreed with the previous speakers that RINF is a complex tool. It reminded the meeting that RINF's technical scope is based on the global business case and it concerns the infrastructure, energy and trackside control-command and signalling subsystems. It also stressed the need for clear steps in reaching the goal(s) and relevant transitional phases, which would not be changed after implementation of the infrastructure register starts.

CH was of the view that although useful, the infrastructure register should not be mandatory for the non-EU OTIF MS. As COTIF concerned only international traffic and that the majority of this traffic was freight, a good starting point would be to catalogue the main characteristics of international freight corridors. This did not necessarily require an electronic register. Also, some states might have only one international line, the characteristics of which could be published in other ways than a register. CH agreed with previous speakers to proceed gradually in this matter. It agreed with DE that the IMs should be left to discuss common requirements, maybe under the umbrella of OTIF, and then to discuss the introduction of the infrastructure register at OTIF level. It suggested that it might be useful to obtain a status update from the business case such as the EU's rail freight corridors⁴.

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

1. WG TECH discussed the document and agreed that it was a good basis for discussion. Chapter 6 should be developed further, in particular by including a proposal for decision of the CTE. The delegates were invited to send any comments they might have by 8 January 2018.
2. Registers which support the railway undertaking with checking compatibility between infrastructure and vehicles, in particular infrastructure registers, may be useful for international traffic. Such registers should however be developed gradually and carefully and most delegates agreed that there is no urgent need.
3. The EU is developing a specific register of infrastructure (RINF). RINF is complex and it is not certain that it would also be the right solution for OTIF. Feedback from the EU would therefore be useful and the EU is invited to keep WG TECH up to date with the developments.
4. The architecture of an OTIF register and whether hosting should be central or local should be carefully considered. It is not obvious that it is either feasible or desired to extend EU RINF to cover non-EU OTIF States as well.
5. A decision of the CTE was required concerning the steps to be taken, planning, architecture and options as to where the possible register of infrastructure should be hosted.

⁴ Regulation (EU) No. 913/2010 of the European Parliament and of the Council of 22 September 2010 concerning a European rail network for competitive freight, where the EU MS were required to establish international market-oriented corridors in order to generate benefits

d) Analysis of possibilities for the urgent modification of the UTP if there are safety-relevant gaps or errors in the UTP

Document: [TECH-17038](#) Urgent UTP modifications; (updated document after
(Version 2) WG TECH 32)

The **Secretariat** had modified draft working document TECH-17038 at the request of WG TECH 32 by including provisions of Article 7 and 8 § 1 of CTE's Rules of Procedure. It uploaded the amended document (version 2) for the attention of WG TECH 33.

The **Chairman** thanked Mr Leermakers for the introduction to the document. He noted that once the document had been discussed it should be decided whether to keep it as an internal document of WG TECH or to be published on OTIF's website. Then he opened the discussion.

The **Secretariat** suggested that the document could be modified into an explanatory document which could be submitted to the CTE 11. The question was raised by the CTE 10 and therefore it would be appropriate also to provide an answer to CTE. . If the CTE agreed, the explanatory document could be published on the OTIF's website for information.

As there were no further comments the **Chairman** concluded this item as follows:

1. WG TECH discussed document TECH-17038 version 2 and agreed that it answered the questions raised in CTE 10.
2. WG TECH decided that the document will be submitted to the CTE 11 as an explanatory document for APTU with a view to publishing it on OTIF's website.

e) Declarations in the scope of vehicle approval

Document: [TECH-17037](#) Analysis of the differences between EU and COTIF
(Version 2) provisions (updated document after receiving comments
from FR)

The **Secretariat** had modified document TECH-17037, which was initially discussed in WG TECH 32, in accordance with the comments submitted by FR and ERA. The Secretariat reminded the meeting that the objective of the document was to highlight the essential differences between EU law and COTIF with regard to declarations, to analyse them and to support a discussion.

The **Chairman** thanked Mr Leermakers for the introduction to the document. He proposed that WG TECH should first discuss whether version 2 of the document supplemented with the comments as shown on the screen is correct and complete, and then to discuss any additional points.

NB RAIL wondered whether the Notified Bodies (NoBo) listed in the EU NANDO database may issue UTP certificates in addition to EU certificates. The **Secretariat** confirmed this and explained that according to UTP GEN-D NoBos are qualified as assessing entities under ATMF and may therefore issue certificates in accordance with both TSIs and UTPs. However, the other way around is not valid, i.e. the non-EU assessing entities are not automatically recognised by EU to perform TSI assessments according to EU law.

DE added that as far as the technical requirements (in TSI / UTP), as well as the requirements for the certification bodies, were harmonised between EU and COTIF the certificates, whether issued on the basis of a UTP or TSI, were mutually accepted between EU and OTIF.

The **Chairman** reminded the meeting that APTU/ATMF concerned mutual acceptance at the vehicle level. However the EU legal system had a much wider scope than COTIF, e.g. the EU also regulated the conditions for placing ICs on the EU market to sell them separately from the vehicle. These market provisions were not mirrored in COTIF and he therefore suggested firstly discussing the necessity of maintaining ICs in COTIF.

The **Secretariat** explained that the main reason for including ICs in COTIF was to align the technical requirements with EU law. Although this layer of ICs adds complexity to the system there may also be benefits for component certification if it avoids having to re-check the parameters which have already been assessed before, for example if the same component is used in different types of vehicles.

UIP was not convinced that the IC certification was needed in COTIF. Even today, manufacturers located outside the EU could hire NoBos which are listed in NANDO database to certify their products in accordance with EU law. As an example, manufacturers of freight wagon axles from China used the EU TSI certification for ICs to be able to sell their axles on the EU market. As long as this EU certification is recognised by COTIF it is sufficient; there does not have to be a separate certification from the non-EU OTIF MS. In UIP's point of view, it was not necessary to duplicate requirements for the ICs in COTIF, as these had been already publicly available in EU law.

RS reiterated its earlier position that the separate assessment and certification of ICs should be made mandatory in COTIF as it would simplify and speed up the verification procedure. Bearing in mind that the requirements for ICs and assessment procedures (modules) in UTPs/TSIs, as well as the requirements for the assessment bodies and NoBos were all equivalent, the certificates and declarations of conformity issued in non-EU MS could be mutually recognised in all OTIF CS. Furthermore, the manufacturers (of the vehicles) and assessment bodies could rely on these certificates which would at the same time reduce the costs of the verification.

The **Secretariat** responded that all the qualifications, procedures and requirements are equivalent, thus allowing the mutual acceptance of vehicles between the EU and COTIF. However, the COTIF and EU provisions have different aims. In addition to the common aim of mutual acceptance of vehicles, the EU has the additional aim to open the market for products such as subsystems and ICs. On this basis ICs can be placed on the EU market and sold separately from a vehicle. COTIF does not have such an aim. For example if an axle produced in a state that does not apply EU law is mounted on a vehicle that is fully compliant with the UTPs this vehicle can be operated in all CSs including the EU, but if the same axle were intended to be sold on the EU market it should be certified and marketed in accordance with EU law including assessment of the axle by the NoBo which is registered in NANDO database.

CER suggested that it might be efficient to maintain some of the ICs in COTIF, in particular those related to CCS. It would be counterproductive to require multiple certification procedures for ICs which will be integrated in identical CCS systems in different states.

The representative of EC (Bertrand Collignon) informed the meeting that Notified Bodies could only be listed in the NANDO database if they met particular requirements. The checking of compliance with these requirements was also subject to specific EU regulations and procedures which must be followed before the EU MS can notify NoBos to the NANDO database. Nevertheless, in his view, the quality of the assessment should have the same value, no matter if it was an EU NoBo or OTIF assessing entity.

CH supported Secretariat and was of the view that the provisions of COTIF should be limited to supporting its aims: they should stick to the basics and be limited to requirements that are useful and necessary for vehicle admission. IC certification was more related to market opening, which was an EU objective but not an OTIF one. CH was of the view that the development of COTIF should focus on technical interoperability instead of supporting a free trade environment. Nevertheless, it would be useful if ICs certified in accordance with EU law were accepted, so as to comply with the technical provisions of COTIF and avoid re-assessment.

DE reminded the meeting that after RIV ceased to be valid for international traffic, the aim within COTIF was to keep vehicles operating across the borders, and not to make the environment for selling the products (ICs) instead.

UIP supported DE and gave an example where in the past RIV vehicles from CH could not be fitted with axles approved by SNCF. IC certification has solved this. It agreed with the representative of the EC that the requirements for the competent authorities are the same in all OTIF MS, but the corresponding procedures for the notification were prescribed in more detail in EU than in COTIF.

CH noted UIP's observation regarding the use of axles from the manufacturer that has certified its product and suggested that it could be mentioned in the document.

RS was not in favour of having ICs deleted from COTIF. In its view, the structure of the UTPs as of today should be maintained. Furthermore, the need for the simplification in question should be initiated only on the basis of a particular problem that had occurred.

CER was not in favour of simplification of the assessment procedure becoming an aim in itself. Simplification should just be a tool to reach an objective, which was to increase interoperability. He suggested that it might be useful for the non-EU competent authorities to use the accreditation scheme that had been developed under relevant standards.

The **Secretariat** agreed keeping the existing equivalence between COTIF and EU law was a precondition for any simplification of COTIF. The feasibility of deleting ICs should be carefully investigated together with the EU. Nevertheless it would be in the interest of all OTIF MSs to increase the geographical scope of COTIF by attracting new Member States. The very complex technical provisions could be a barrier for new Contracting States to join this framework. On this basis the Secretariat was of the view that simplification of the rules could facilitate the reaching the objective of extending the geographical scope.

DE was of the view that if complicated assessment procedures are barriers to accession of new states then simplification should be taken into consideration and further explored.

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

1. The text should be complemented to explain the validity of TSI and UTP certificates, in relation to whether the assessing entities are listed in NANDO database or notified through OTIF
2. Focus of developments should be on facilitating vehicle admission and mutual acceptance of vehicles and less on ICs.
3. WG TECH asked the OTIF Secretariat to investigate further the potential to simplify the provisions and procedures for vehicle admission.
4. WG TECH also noted that the document should be further elaborated for the next WG TECH 34, with the aim to provide information to the CTE 11.

6. DEVELOPMENTS IN EU REGULATIONS WHICH MAY AFFECT EQUIVALENCE WITH COTIF AND DISCUSSION ON NEXT STEP

a) Vehicle Authorisation under the 4th railway package

The representative of EC (Bertrand Collignon) informed the meeting about the revision process⁵ that preceded the adoption of the Draft Implementing Act at the RISC 80⁶. He noted that the adopted document took into account concerns about its impact on the industry and railway sector. In the following period the document would be linguistically checked and adopted by the EC in the first quarter of 2018. Mr Collignon would forward to the OTIF Secretariat the link to the text of the draft implementing regulation on practical arrangements for vehicle authorisation that was voted on at RISC. The OTIF Secretariat was also requested to include the following disclaimer:

"Please take note that, while this draft has received a positive vote from the EU Member States at the 80th Railway Interoperability and Safety Committee meeting on 16 November 2017, only the final text adopted by the Commission and published in the OJEU has legal value. We expect the publication of the text to take place in the first quarter of 2018."

⁵ Article 5 of Directive 2016/767, which refers to drafting, adoption and review of TSIs

⁶ The 80th meeting of the Committee on the interoperability and safety of the European rail system (RISC), 15-16 November 2017, Brussels

http://ec.europa.eu/transparency/regcomitology/index.cfm?do=search.documentdetail&Dos_ID=15207&DS_ID=53819&Version=2

He also informed the meeting that preparation of the relevant application guide had already started within the ERA.

The **Chairman** thanked Mr Collignon for his presentation on the vehicle authorisation and opened the discussion.

In addition to what had already been said by the representative of the EC, **ERA** (Christoph Kaupat) explained that it would appoint *project managers for the vehicle authorisation cases*. To become more familiar with the process of vehicle authorisation, from the beginning of January ERA would assign the first group of future *project managers* to projects which are currently assessed by NSAs but for which decisions are expected to be taken after June 2019 by ERA.

The Secretariat asked whether ERA would become the competent authority for all EU States in the meaning of ATMF article 5, or would this competence remain with the NSAs? **ERA** (Peter Mihm) said it was too early to answer this question as the internal discussion within EU had not yet started. ERA would inform the WG TECH of the results of the discussion.

DE suggested checking whether the implementing act on vehicle authorisation would affect equivalence with ATMF. The **Secretariat** reminded the meeting that it had prepared the necessary amendments to APTU and ATMF to be adopted by the 26th Revision Committee. These proposals were based on an EC analysis and reviewed by both WG TECH and the CTE 10. Thus, from the Secretariat's point of view, the legal framework at the level of COTIF's appendices/EU Directives should be ensured by these amendments. It did not foresee further analyses. The Secretariat was of the view that the new implementing act formalised an internal EU process for vehicle authorisation so that authorisations could be issued by one authority, ERA. The level of these processes, although they might be very complex, was comparable to the level of internal processes within each state. These processes were not regulated in detail by COTIF. Nevertheless, it suggested that anybody interested could check the compatibility between the new EU procedures and COTIF and propose amendments if relevant.

The **Chairman** was of the opinion that one of the main points of the fourth railway package was to converge from several to one competent authority at EU level. Nevertheless, he asked the meeting whether anybody had noticed any lack of equivalence at this point.

DE explained that the implementing act on vehicle authorisation introduced new terms which did not exist in ATMF. It gave two examples: "pre-engagement" and "checks for completeness". DE wondered whether it would be possible to include these checks in COTIF if requested by the railway sector. In its view, it might be helpful to use this experience for the non-EU competent authorities. Nevertheless, DE was of the opinion that DE should not initiate this job, as it thought this to be the responsibility of the EU and OTIF.

The **Secretariat** explained that, as it was a secretariat and not a competent authority, it did not have practical experience with vehicle admissions and was therefore not in a position to judge which new EU procedures would be useful or not for non-EU States. It therefore suggested that the non-EU OTIF CS and sector organisations could check the EU provisions and if they would be useful to them, they could then propose amendments. He reminded the meeting that the right of proposing UTPs or amendments to them was not exclusive to the Secretary General and that Article 6 APTU allowed any Contracting State, any regional organisation (i.e. EU) and also representative bodies to make UTP proposals.

The **Chairman** summarised the discussion and suggested waiting for possible feedback from the railway sector in the non-EU OTIF CS on the implementing act on vehicle authorisation. He noted that additional checking by the OTIF Secretariat was not necessary with regard to compatibility between the ATMF and the implementing act on vehicle authorisation.

b) Explanatory note concerning the concept “area of use” in the context of the fourth railway package

ERA (Peter Mihm) informed the meeting that the discussion about the concept was still ongoing and that it was related to the discussion that concerns the vehicle authorisation. He noted that after concluding the discussion ERA would inform WG TECH of the results accordingly.

The **Secretariat** reminded the meeting that one of the main modifications to the ATMF, which had been supported by the CTE and as such submitted to the 26th Revision Committee, concerns the concept “area of use”. The Secretariat expressed its concerns that if the concept “area of use” becomes subject to modification by the EU, the 26th Revision Committee could decide to return the subject to the CTE, potentially leading to a delay of several years.

The representative of EC (Bertrand Collignon) agreed that this concept is very important but that the definition was not the subject of discussion. It was a matter of interpretation. It should therefore have no influence on the equivalence between EU law and the proposals to modify ATMF as submitted to the 26th Revision Committee. He informed the meeting that the discussion, that was still ongoing within the relevant ERA working parties for LOC&PAS, WAG and Vehicle Authorisation, was about whether the “area of use” would *geographically* or *technically* identify the network. Furthermore, he informed the meeting that the term “route compatibility” was also to be defined.

RS questioned whether the “area of use” of future authorisations issued by ERA was limited only to the territories and railway lines of EU MS or it could include territories and railway lines of non-EU MS? **ERA** (Peter Mihm) explained that is still under discussion at EU level.

CER argued that “area of use” should not be seen as a geographical concept only. It gave as an example on-board ERTMS which could be compatible with track-side ERTMS deployed in several states. “Area of use” should be dealt with as a technical concept, rather than a geographical concept.

The representative of EC (Bertrand Collignon) explained that area of use had both geographical and technical aspects. The technical aspect concerned the technical compatibility and the geographical aspect was related to the formal authorisation for a vehicle to be used on a state’s territory.

NB RAIL was of the view that the process of issuing certificates with regard to the area of use should be simplified as much as possible, but with clear technical restrictions and defined criteria.

The **Secretariat** reminded the meeting that COTIF is a Convention between sovereign states, and as such the “area of use” was in any case a geographical concept. It noted also that the amendments to the ATMF submitted to the 26th Revision Committee were in line with this input.

The **Chairman** summarised the discussion and noted that WG TECH would closely monitor developments in the EU with regard to the “area of use”. Then he concluded as follows:

1. WG TECH noted that meaning of the term “area of use” was under discussion at the EU level, in particular at ERA’s WPs for LOC&PAS, WAG and Vehicle Authorisation.
2. The term “area of use” had been introduced into the proposals for modifications to ATMF as submitted to the 26th Revision Committee for adoption. The discussion taking place at EU level would not affect equivalence between EU law and these proposals for modifications to ATMF.

c) Status of development and use of the register of infrastructure (RINF) in EU

ERA (Christoph Kaupat) informed the meeting that the European register of infrastructure had been introduced into the EU law by the former interoperability directive 2008/57/EC. The purpose of RINF, i.e. the central database, was to provide information about the main features of the European railway infrastructure. After explaining the principles of the RINF common user interface and its architecture he explained that the responsibility for the accuracy of RINF data lies with the EU MS. He noted that it was not always the infrastructure manager (IM) concerned that may have all the relevant data about its infrastructure assets. For example, the rail infrastructure of the port of Antwerp is independent of the SNCB. Lastly, he informed the meeting about the ongoing process of the RINF revision through the

relevant ERA WP, with the aim of achieving compatibility checks in the future. One of the WP's objectives was to make clear the responsibilities for the accuracy of the data submitted to the RINF, but as of today it was not yet decided how to ensure it. It was planned to submit the draft recommendation to the EC by June 2018. Mr Kaupat also informed the meeting that the RINF prescription is followed by the application guide, the purpose of which was to act as an aid to the most common situations and solutions.

The **Chairman** thanked Mr Kaupat for the information on the status of development of the RINF in the EU and noted it.

d) Status of revisions of EU provisions with equivalence in COTIF (e.g. ECM, vehicle registers, TSIs)

ERA (Christoph Kaupat) informed the meeting about the status of revisions of EU provisions with equivalence in COTIF. He noted that once ERA submits its recommendations on amendments and revisions of the TSIs to the EC (the information about relevant deadlines, as presented by ERA, are attached as [Annex III](#)), the EC initiates the creation of the relevant implementing act. He informed the meeting that most of the deadlines in 2017 were met. With regard to the revisions of the other EU provisions that have equivalence with OTIF provisions, he informed the meeting about the following:

- CSM on risk evaluation and assessment (UTP GEN-G) – presently no revision ongoing
- ECM-regulation (ATMF Annex A) – ERA would send a recommendation to the EC by May 2018
- RINF Decision – ERA would send a recommendation to the EC by June 2018
- NVR Decision 2007/756/EC (NVR 2015) would be replaced by the EVR Act, and would be repealed from 16 June 2021
- ERATV Decision: ERA would send a recommendation to the EC by December 2018. The new legal act on ERATV is expected to be adopted by 2019.

In addition to what had already been said by ERA, **the representative of the EC** (Bertrand Collignon) informed the meeting about the subjects that had been and would be discussed and voted on in the EU at RISC meetings. The following subjects would be dealt with in the next period of RISC meetings: ENE TSI, LOC&PAS TSI and TAF TSI (to be discussed at RISC 81, planned to be held in January 2018), followed by the TAP/TAF TSI (change of the procedure), PRM TSI and EVR (at RISC 82, June 2018), NOI TSI (to existing wagons) and RINF (at RISC 83, November 2018), LOC&PAS TSI, WAG TSI, CCS TSI, OPE TSI and INF TSI (links with RST) (at RISC 84, January 2019), and lastly, PRM TSI, SRT TSI and NOI TSI (at RISC 85, April 2019). He stressed the importance of the RISC 84 and RISC 85 where the formal transposition of the fourth railway package into TSIs would occur. In addition, he highlighted the date **16 June 2019**, after which a new regime for vehicle authorisation and single safety certificate should start to be applied in the EU.

On behalf of WG TECH, the **Chairman** thanked Mr Collignon and Mr Kaupat for their status report on the latest developments and plans in the EU and noted the information.

7. DRAFT CROSS REFERENCE TABLE “EU” AND “OTIF” TERMINOLOGY

Document: [TECH-17049](#)

Cross reference table of correspondence between COTIF and EU terminology

The **Secretariat** reminded the meeting about the purpose of this recently introduced document, which was to help those who work with APTU, ATMF and EU legislation in the field of vehicle admission and maintenance processes. It informed the meeting about the main changes compared to the first version submitted to WG TECH 32, which included the following:

- The explanatory note was improved, to increase the level of clarity

- New terms were also included: Network; Technical prescription (in EU: Basic Parameter); Authorising Entity, ECM and Holder of the vehicle type authorisation (only in EU); introduction of Keeper, Manufacturer and Authorised Representative; Contracting Entity; Infrastructure manager and Substitution in the framework of maintenance
- The new Section (table) was introduced: *EU terminology which has no corresponding term or concept in APTU and ATMF, however potentially relevant for COTIF.*

The Secretariat also reminded the meeting that this was a draft working document of WG TECH, which would be further analysed and improved.

The **Chairman** noted the information on the updated version of the cross reference terminology table. He noted that the term “*configuration management*” was included in the table and also proposed to include the term “*pre-engagement*”, i.e. early contact with the applicant in the form of coordination, to which the meeting had tacitly agreed. Lastly, he noted that the table would be updated regularly.

8. EU - OTIF EQUIVALENCE TABLE

Document [TECH-17043](#) Equivalence table EU/OTIF regulations

The **Secretariat** informed the meeting that there were no changes to the equivalence table since the WG TECH 32.

The **Chairman** noted the information and asked WG TECH members to give the OTIF Secretariat adequate and timely feedback, if necessary.

9. NEXT SESSIONS

The 34th session of WG TECH will be held on 6 and 7 February 2018 in Belgrade

The 11th session of the Committee of Technical Experts will be held on 12 and 13 June in Bern.

The 35th session of WG TECH will be held on 11 and 12 September in Bern (hosted by CH)

It was proposed to hold the 36th session of WG TECH on 27 and 28 November (to be decided later)

10. ANY OTHER BUSINESS

EUMedRail-Project

ERA (Peter Mihm) introduced the meeting to the tasks and organisation of the EUMedRail-Project. The project had been founded by the EC and assigned to ERA to implement it. ERA focused on technical assistance in railways, with a view on **promotion of harmonized railway regulations for the development of** an integrated, safe and efficient transport system in the South Mediterranean region. He also announced that in parallel with the WG TECH, on 6 and 7 February 2018, in Belgrade, the EUMedRail would organise a workshop on international railway legislation focusing on COTIF appendices and its practical use for the region concerned, with the aim of raising awareness of OTIF, increasing knowledge on railway law and facilitating at a later stage cross border (i.e. international) traffic. Mr Mihm informed the meeting that the workshop was also open to members of the WG TECH.

The **Chairman** noted the information with regard to the EUMedRail workshop to be organised in Belgrade.


CLOSING REMARKS:

Before summarising the session, the **Chairman** informed the meeting about the short deadlines for submitting documents to the next WG TECH 34 and proposed that the OTIF Secretariat should upload all the relevant documents two weeks before the meeting, which is later than usual. The meeting tacitly agreed with the proposal.

The **Chairman** thanked all the participants for the productive discussion, the OTIF Secretariat for preparing all the documents on time and closed the 33rd WG TECH meeting.


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

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Approved Agenda

Annex II

1. Approval of the agenda
2. General information from the OTIF Secretariat
3. Election of the chair
4. Approval of the minutes of the 32nd session of WG TECH
5. Documents for discussion:
 - a) Draft proposal for modification of UTP GEN-B
 - b) Draft strategy concerning the development of UTP(s) covering infrastructure
 - c) Feasibility of the development of registers to check compatibility between train and infrastructure
 - d) Analysis of possibilities for the urgent modification of UTP if there are safety-relevant gaps or errors in the UTP (updated document after WG TECH 32)
 - e) Declarations in the scope of vehicle approval (updated document after comments from FR)
6. Developments in EU regulations which may affect equivalence with COTIF and discussion on next step (by ERA and DG MOVE)
 - a) Vehicle Authorisation under the 4th Railway Package
 - b) Explanatory note concerning the concept “area of use” in the context of the 4th Railway Package
 - c) Status of development and use of the register of infrastructure (RINF) in EU
 - d) Status of revisions of EU provisions with equivalence in COTIF (e.g. ECM, vehicle registers, TSIs)
7. Cross Reference table “EU” - and “OTIF” terminology and the process for keeping the table up-to-date
8. EU-OTIF equivalence table
9. Next sessions
10. Any other business
11. Any other business

The status of revisions of EU provisions with equivalence in COTIF

Annex III



Planning 2017-2020 for TSI amendments and revisions (I)

ID	TSI	Description / comments	DDL for ERA recommendation
1	Loc&Pas TSI (1)	Recommendation concerning a limited revision. The cover letter will confirm the validity of the recommendation already sent in 2015-2106 (ERA-REC-111-2015-REC and ERA-REC-120-REC)	Sep-17
2	Loc&Pas TSI (2)	Objective = Integration of additional chapters from 4RP. Other aspects detailed in the DA will be addressed in a later revision. Draft recommendation provided to EC in June 2018. Consultations in parallel by ERA and MOVE. Final ERA recommendation to EC in December 2018.	Dec-18
3	WAG TSI (1)	Recommendation concerning a limited revision. The cover letter will confirm the validity of the recommendation already sent in 2016 (ERA-REC-117-2016-REC)	Sep-17
4	WAG TSI (2)	Same as Loc&Pas TSI (2)	Dec-18
5	Noise TSI (1)	Application to existing wagons	Apr-18
6	Noise TSI (2)	Objective = Integration of additional chapters from 4RP.	Dec-18
7	Noise TSI (3)	Broader revision	Dec-19
8	CCS TSI	See details in the DA	Dec-18
9	ENE TSI (1)	Focus on closing of open points	Sep-17
10	ENE TSI (2)	Full revision of TSI taking into account the objectives specified in DA. If necessary to urgently adjust INF TSI to 4RP, an extra recommendation could be issued in Sept 2018.	Dec-20

Planning 2017-2020 for TSI amendments and revisions (II)

11	INF TSI (1)	Focus on closing of open points	Sep-17
12	INF TSI (2)	Full revision of TSI taking into account the objectives specified in DA. If necessary to urgently adjust INF TSI to 4RP, an extra recommendation could be issued in Sept 2018.	Dec-20
13	PRM TSI (1)	Focus on inventory of assets	Jun-17
14	PRM TSI (2)	Broader revision	Sep-18
15	OPE TSI	See details in the DA	Dec-18
16	SRT TSI	See details in the DA	Dec-18
17	TAF/TAP TSIs change of procedure	Change of the procedure to adopt TAP and TAF baselines (following the CCM).	Feb-18
18	TAF TSI (1)	TAF baseline 2.2, according to current procedure and previous mandate. The cover letter will confirm the validity of the recommendation already sent in December 2016 concerning baseline 2.1.	Sep-17
19	TAF TSI (2)	See details in the DA	Jan-19
20	TAP TSI (1)	Baseline 1.3, according to current procedure.	Jun-18
21	TAP TSI (2)	See details in the DA	Nov-19