



Organisation intergouvernementale pour les transports internationaux ferroviaires

Zwischenstaatliche Organisation für den internationalen Eisenbahnverkehr

Intergovernmental Organisation for International Carriage by Rail

WG TECH

43rd Session

Minutes

Remote meeting, 23-24.6.2021

WG TECH 43 SUMMARY 23 AND 24 JUNE 2021

- 1. The United Kingdom, in the shape of Mr Vaibhav Puri, was elected to chair the session.**
- 2. The agenda submitted in document TECH-21011 dated 22.4.2021 was adopted.**
- 3. The Secretariat presented the latest developments in OTIF.**
- 4. For discussion**

WG TECH 43 reviewed all the working documents issued for this agenda item, with the following results:

- a) With regard to the development of the Annexes to the EST UR (Appendix H to COTIF)
 - WG TECH took note of the request from the Committee of Technical Experts to start developing Annexes to the EST UR;
 - WG TECH reviewed the following working documents prepared by the Secretariat:
 - *Annex A to EST UR (TECH-21013 dated 25.5.2021)*
 - *Annex B to EST UR (TECH-21014 dated 25.5.2021)*
 - Delegates provided comments at the session and were invited to provide further written comments to the OTIF Secretariat;
 - The Secretariat was invited to prepare updated versions of the working documents for review by WG TECH 44;
 - The meeting took note of a presentation provided by the UIC about its activities in the scope of railway safety.
 - b) With regard to the revision of UTP TAF (Telematics applications for freight services)
 - WG TECH reviewed working document TECH-21015 dated 25.5.2021, which was prepared by the OTIF Secretariat;
 - Delegates provided comments at the session;
 - The Secretariat was invited to prepare an updated version of the working document for review by WG TECH 44.
 - c) Analysis and review of Annex B to the ATMF UR (Derogations)
 - WG TECH reviewed working document TECH-21016 dated 25.5.2021, which was prepared by the OTIF Secretariat;
 - Delegates provided comments at the session;
 - The Secretariat was invited to prepare an updated version of the working document for review by WG TECH 44.
 - d) Vehicle registers
 - WG TECH took note of a presentation by the OTIF Secretariat about the need for access to vehicle data stored in vehicle registers, including for entities from Contracting States that are not using the register concerned;
 - Delegates exchanged views at the session;
 - WG TECH requested the OTIF Secretariat to prepare a working document for the next session.
- 5. Developments in EU regulations that are of relevance to COTIF (presented by ERA and the European Commission)**

ERA provided a progress report concerning the TSI revisions, planned to be completed in 2022.

- 6. The cross reference table of EU and OTIF terminology was reviewed.**

7. The EU – OTIF equivalence table was reviewed.

8. Any other business

None

9. Next session (WG TECH 44): Bern, 8 and 9 September 2021.

DISCUSSION

Welcome by the OTIF Secretariat

Mr Bas Leermakers (head of OTIF's Technical Interoperability Department) who, together with Ms Maria Price and Mr Dragan Nešić, represented the OTIF Secretariat (hereinafter: "the Secretariat") welcomed all the participants and opened the 43rd session of the standing working group TECH (hereinafter: WG TECH). The session was held remotely. The list of participants is attached to these minutes as [Annex I](#).

The Secretariat also informed the meeting that **North Macedonia** had sent apologies, as it was unable to attend this meeting. However, it had indicated full support for all the proposals in the working documents.

The **Secretariat** presented the practical arrangements for the remote WG TECH meeting.

1. ELECTION OF CHAIR

The **Secretariat** proposed the United Kingdom (Mr Vaibhav Puri) to chair the session. There were no other proposals. Mr Vaibhav Puri accepted the nomination and WG TECH unanimously elected GB, in the shape of Mr Vaibhav Puri, to chair this session.

The **Chair** thanked participants for the confidence it had placed in him.

2. APPROVAL OF THE AGENDA

WG TECH adopted the agenda for the 43rd session as proposed in the invitation letter TECH-21011 dated 22.4.2021 ([Annex II](#)).

3. INFORMATION FROM THE OTIF SECRETARIAT

The **Secretariat** reminded participants that the minutes of the 42nd WG TECH meeting had been approved in writing and were available on OTIF's website¹.

It also reported on the main results and decisions of CTE 13, including the mandate that was given to WG TECH:

- To review Annex B to ATMF UR and, if relevant, to propose modifications;
- To modify UTP TAF;
- To update the possibilities for facilitating the search and retrieval of vehicle data from the vehicle registers and
- To provide progress reports on the developments of two Annexes to the EST UR
- To report on monitoring and assessment of the implementation of APTU and ATMF by Contracting States ([Annex III](#)).

CTE 13 had also given a broad general mandate for WG TECH to deal with any other subjects it deemed necessary and report its findings to the CTE.

4. FOR DISCUSSION:

a) Development of the Annexes to the EST UR (Appendix H to COTIF)

Documents: [TECH-21013](#) Draft for review by WG TECH 43 (dated 25.5.2021)
[TECH-21014](#) (Common Safety Method on Safety Management System requirements and the Common Safety Method on monitoring)

The **Secretariat** informed the meeting that CTE had asked WG TECH to start developing Annexes to the EST UR. It reminded the meeting of the aim and basic principles of the EST UR. The EST UR provided

¹ http://otif.org/fileadmin/new/2-Activities/2E-Technical-Interoperability/2Eb-Working-Group-Tech/2Eb1_Report/WG-TECH-42-Minutes.pdf

general principles and responsibilities for the cross-border operation of trains for states that had already fully applied the APTU UR and ATMF UR. By applying the EST UR, the Contracting States should ensure, inter alia, that:

- the RUs and IMs have shared responsibility for the safe operation of trains;
- the RUs and IMs have established their safety management systems (SMS) and are able to cooperate to ensure the safe operation of trains on a Contracting State's territory;
- the assessment results from the Safety Certification Authorities of other Contracting States are mutually recognised.

The Secretariat then reminded the meeting that, although the General Assembly had adopted the EST UR, their entry into force was still pending formal approval by two-thirds of the Member States. The General Assembly had requested the Committee of Technical Experts to start drafting the Annexes to the EST UR already, pending their entry into force. The Secretariat provided an overview of Annexes that needed to be developed in accordance with Article 8 § 3 of the EST UR, together with the indicative planning (see also presentation).

RS wondered whether the EST UR or its Annexes were compatible with safety certificates consisting of two parts, for railway undertakings (RUs), where the first part was based on international, harmonised rules and the second part was based on national rules? If this was not the case, RS suggested that these rules should be developed. RS also noted that there were no provisions on the safety certification of infrastructure managers (IMs) and wondered whether IMs would need a particular safety certificate and how it would be supervised.

The **Secretariat** confirmed that the EST UR did not define two separate parts for RUs' safety certificates. However, Article 8 § 3 of the EST UR allows the development of harmonised rules on how the safety certificates are issued. With regard to the question on the safety certification of IMs, the Secretariat confirmed that there was no provision that required IMs to have a safety certificate. Contracting States could however require this in their national law. When adopting the EST UR, the Member States of OTIF had decided that requiring the safety certification of IMs would be disproportionate because usually only a small number of the activities of IMs concern international traffic. However, the EST UR did require that all IMs implement their Safety Management System.

NB Rail was of the view that the safety certificate confirms that the SMS of the RU concerned complies with the rules at the moment of application for the safety certificate. On the other hand, the aim of supervision is to ascertain that the SMS continues to comply with the rules over a certain timespan. It would allow the Contracting States to rely on the assessment results of other Contracting States and to concentrate their additional checks against their national rules. In addition, NB Rail wondered whether it was necessary to define different levels of supervision (for example, to whom compliance with the rules should be demonstrated) and whether the frequency of supervision should be limited in time, for example 2 to 3 years.

The **Chair** summarised the discussion so far. He suggested that there would *de facto* be two parts for safety certificates; one part based on the Annexes to the EST UR and one part based on national rules. He pointed out that safety certificates were not automatically mutually recognised, but that, according to Article 5 § 3 of EST UR, Contracting States mutually had to accept the results of conformity assessments which were based on equivalent provisions.

UIC (Frédéric Henon) presented the UIC safety platform, its basics, scope, structure and working principles. The safety platform had been created with the core objective of designing and promoting a global approach to safety. He pointed out that a safety culture was one of the basic requirements for achieving operational excellence in the railways. Lastly, he informed the meeting about the UIC safety database (created in 2006) and its potential if it were broadened to become a *unique railway safety operational database*.

Detailed discussion of Annex A to EST UR

The **Secretariat** explained the scope, content and main elements of the draft Annex A to the EST UR (text TECH-21013).

GB wondered whether the wording in Article 6 could be more precise concerning the obligations of IMs and the Contracting States. Furthermore, in its opinion, Article 6 § 1 of Annex A created the same obligation for all IMs, regardless of whether their railway lines were used frequently for international traffic or only occasionally. It wondered whether some form of proportionality could be included. With regard to Article 6 § 2, **GB** wondered whether it referred to the Contracting States or to the certification or supervision authority of the Contracting State?

The **Secretariat** agreed that Article 6 § 1 could be reworded so that Contracting States could limit the scope of application of Annex II to infrastructure managers on their territory, so that the scope of application would be proportional to the volume and type of international traffic running on the infrastructure concerned. The Secretariat was of the view that the supervision of the IM's SMS should be subject to national rules. With regard to Article 6 § 2, bearing in mind that there was no mandatory safety authorisation of IMs, the Secretariat was of the view that any recommendation to apply Annex II should be addressed to the Contracting State. The Contracting States could then decide whether and to what extent the recommendation would be followed.

GB wondered whether point 2, "Leadership" (both in Annex I and Annex II) and point 4.5.1.2. concerning annual reports to be submitted to the supervisory authorities and investigation bodies (both in Annex I and Annex II) were relevant to COTIF and its aims. It also wondered what should be provided in these annual reports and to whom, bearing in mind international operations. **GB** suggested that the wording used in the second paragraph of the left-hand side of Article 7 § 1 of Annex B regarding Infrastructure Managers could also be used when modifying the text in Article 6 of Annex A.

ERA commended summarising the text of Directive 89/391/EEC in point 3.1.1.2 of Annex I, which concerned measures to encourage improvements in the health and safety of workers at work, and suggested some minor editorial corrections to the text. **GB** suggested that the same wording be used in point 3.1.1.1 (g) of Annex II.

The **Secretariat** took note of **GB**'s and **ERA**'s comments and would modify the working document for the next session accordingly.

Detailed discussion of Annex B to EST UR

The **Secretariat** explained the scope, content and main elements of the draft Annex B to the EST UR (text TECH-21013). It referred to the text highlighted in yellow in the document, which concerned monitoring by entities in charge of maintenance (ECMs). The Secretariat invited delegates to discuss whether it was correct to define the tasks of ECMs in the Annexes to the EST UR, because at present, all the ECMs' obligations were defined in the ATMF UR and its Annex A. This could lead to ambiguities, because in future, some Contracting States might apply the ATMF UR, but not the EST UR.

RS was of the view that the monitoring tasks related to ECMs should remain in the text of Annex B to the EST UR. With regard to the text, **RS** proposed to modify Article 7 § 3 of Annex B to include the reference to Annex V of Annex A to ATMF (*Report of the entity in charge of maintenance*).

GB agreed with **RS**. **GB** also proposed an editorial comment on point 7.1.

Following a comment from NB Rail, the **Secretariat** noted that Article 7 of the ECM Regulation (Annex A to the ATMF UR) prescribed that ECMs "shall, inter alia, comply with *possible additional rules in force in the state concerned*" (left-hand column). In the case of the EU (right-hand column), this compliance concerned the EU regulation related to CSM on monitoring, with which Annex B to the EST UR should become equivalent. With the introduction of Annex B to the EST UR, the *possible additional rules in force in the state concerned* referred to in the ECM Regulation, could be revised so that it would refer to Annex B of the EST UR. The Secretariat therefore supported **RS** and **GB** in their views that the requirements for monitoring ECMs should remain in Annex B to the EST UR.

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

- WG TECH took note of the request from the CTE to start developing Annexes to the EST UR;
- WG TECH reviewed the following working documents prepared by the Secretariat:
 - *Annex A to EST UR (TECH-21013 dated 25.5.2021)*

– *Annex B to EST UR (TECH-21014 dated 25.5.2021)*

- Delegates provided comments at the session and were invited to provide further written comments to the OTIF Secretariat within two weeks of the session;
- The Secretariat was invited to prepare updated versions of the working documents for review by WG TECH 44;
- The meeting thanked UIC for its presentation on its activities in the scope of railway safety.

b) Revision of UTP TAF

Document: [TECH-21015](#) Draft for review by WG TECH 43 (dated 25.5.2021)
(Telematics applications for freight services)

The **Secretariat** explained that the draft text had been prepared on the basis of the latest European Union TAF TSI. The draft modifications had been prepared on the basis of the 2017 TAF UTP and were shown in tracked changes. The Secretariat explained the main changes in the draft, after which the Chair opened the floor for comments.

DE proposed an editorial comment in Table 1 (replace the acronym ERA by the full name).

CER suggested that the term “safety” in point 4.2.3.2, third paragraph (left-hand column) might not be appropriate, as train operations must be safe by definition. The **Secretariat** agreed with CER and suggested that the reference to the newly adopted UTP TCRC (CTE 13 session on 22 June 2021) could resolve the matter. CER agreed.

GB wondered whether National Contact Points (NCPs) for COTIF (Appendix III to UTP TAF) could also be state representatives rather than sector representatives, as was the case in the EU. In its view, the context and role of NCPs was not clear in the non-EU Contracting States. GB noted that NCPs were linked to the implementation of TAF at national level. According to COTIF, these would be the representatives of the Contracting States, but not necessarily representatives of the sector. GB also wondered whether there were differences in Contracting States’ obligations concerning the implementation of the UTP TAF compared with the future UTP INF.

In response to GB’s comments, **ERA** (Mr Skibinski) informed the meeting about the scope of work and tasks of the NCPs. The main reason for having an NCP appointed by the Contracting State (this appointment is obligatory in the EU) was to provide an active and coordinated role in the implementation of TAF/TAP. For example, with the help of NCPs, ERA was annually reporting the level of implementation of the TAF/TAP TSI within the EU Member States.

The **Secretariat** replied that in the absence of feedback concerning implementation levels within the non-EU Contracting States, it had drafted the text with the aim of allowing maximum flexibility for the implementation of TAF in the non-EU Contracting States. It pointed to Chapter 0(2), where the implementation obligations of the UTP TAF were set out in detail and where a new text concerning the designation of NCPs by the Contracting States had been added. The Secretariat suggested adding a sentence to chapter 0(2) to say that the Contracting States should inform the Secretariat of their NCP.

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

- WG TECH reviewed working document TECH-21015 dated 25.5.2021, which had been prepared by the OTIF Secretariat;
- Delegates provided comments at the session;
- The Secretariat was invited to prepare an updated version of the working document for review by WG TECH 44.

c) Analysis and review of Annex B to the ATMF UR

Document: [TECH-21016](#) Draft for review by WG TECH 43 (dated 25.5.2021)
(Derogations)

The **Secretariat** presented the working document to the meeting. It reminded the meeting that the current Annex B to ATMF regulated the procedure for derogations, i.e. competent authority approval of non-

compliance with one or more of the UTP requirements. Annex B to ATMF was based on the provisions of EU Directive 2008/57/EC, which had been repealed.

The Secretariat suggested that a formal mandatory procedure for derogations might not be necessary at all. It argued that vehicles not complying with one or more UTP provisions would simply not be mutually accepted in international traffic. Consequently, each vehicle not complying with one or more UTP requirements needed separate admission from each Contracting State where admission was sought. As for infrastructure, the UTP INF already permitted Contracting States on whose territory a line was located to decide whether the UTP INF would apply to that line. It underlined the difference between the application of COTIF's technical rules by non-EU Contracting States and the application of EU law by EU Member States. Unlike COTIF's technical rules, EU law not only regulated the admission and use of vehicles and other railway material to international traffic, but had much broader aims, including authorisation for placing products on the EU market and the creation of a single European railway area. It was therefore justified for COTIF to have a much different approach to non-compliance with the UTPs, compared to non-compliance with TSIs in the EU.

Furthermore, the Secretariat was of the view that Annex B to ATMF should be revised with regard to the competences of the Secretary General. The Secretary General should not be put in a position where he has to check files delivered by CSs and inform the CS of his findings. There were several reasons for this, including the fact that there was no procedure for conflict resolution in cases where the CS and Secretary General disagreed.

Lastly, during the seven years that the current Annex B to ATMF had been in force, the Secretariat had never received any file for derogation. This would seem to indicate that there was no practical need for such rules.

The working document asked WG TECH to consider the following:

1. Whether binding rules for derogations were still necessary
2. Whether there was a need for guidelines concerning derogations
3. If rules or guidelines continued to exist, what should be the role of the different entities, such as the Secretary General, the CTE, the Contracting States and the OTIF Secretariat?

RS was of the view that the possibility for derogations should be maintained, and that rules or guidelines indicating whether certain derogations were permitted continued to be useful. It should be clear for different types of derogation whether, depending on the subject, they can be granted by the CS, the CTE, or by the Secretary General.

With regard to the process of derogation, the **Secretariat** explained that according to the current rules, derogations could be granted either by the Contracting State, in which case the Organisation should just be informed, or else the Contracting State could send a request for a derogation to the Secretary General, in which case the Committee of Technical Experts' approval was required.

GB wondered what would be the purpose of seeking a derogation if such vehicles were still not accepted in international traffic and must be checked by each Contracting State? Furthermore, it suggested that the once-per-year meeting schedule of the Committee of Technical Experts was not very suitable in terms of taking decisions, as most projects were time critical. It also noted the lack of transparency in submitting derogations according to the current rules and wondered how the other states could be made aware of the existence of a derogation.

RS agreed with GB and suggested clarifying the cases in which a derogation would be granted by the Contracting States or by the Organisation. Furthermore, it underlined the importance of transparency concerning the rules that were being applied instead of those of the UTP.

The **Secretariat** pointed out that Annex B to the ATMF UR was only applicable to the non-EU OTIF Contracting States because the EU OTIF Contracting States would apply the process defined under EU law. Following the discussion, the Secretariat suggested that Annex B to the ATMF UR should be revised or repealed and that, if revised, at least some of the current rules should be changed into guidelines.

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

- WG TECH reviewed working document TECH-21016 dated 25.5.2021, which had been prepared by the OTIF Secretariat;
- Delegates provided comments at the session and were invited to provide further comments after the session;
- WG TECH noted:
 - the lack of transparency concerning derogations, particularly with regard to derogations that had been issued, and which rules were applied instead of the UTP provisions,
 - that a further review of the current approval mechanism was needed,
 - the different purposes of derogations from the TSI requirements at EU level compared with derogations from the UTP requirements under COTIF.
- The Secretariat was invited to prepare an updated version of the working document for review by WG TECH 44.

d) Vehicle registers

(There was no working document for this agenda item).

The **Secretariat** reminded the meeting about the main elements of the OTIF Specifications for vehicle registers (OTIF Specifications), which had entered into force on 1 April 2021. It then illustrated the practical need for access to vehicle data stored in the various vehicle registers and showed the table with nine scenarios for access to vehicle data, depending on where the vehicle had been registered ([Annex IV](#)). The Secretariat pointed out that the OTIF Specifications did not explicitly regulate non-EU entities' access to the EVR. Such access was necessary in order to retrieve data on vehicles coming from the EU and operating in a non-EU CS.

To illustrate this necessity, the Secretariat gave a practical real-world example, where the IM of a non-EU CS needed to contact the ECM of a wagon from the EU on which a wheel flat was detected. The ECM of the wagon was registered in the EVR. Without access to the EVR, the non-EU CS might require additional registration of the vehicle data in the national vehicle register of the non-EU Contracting State concerned (this would be in accordance with Article 8 § 6 of the OTIF Vehicle register specifications). Duplicate registrations should be avoided where possible, as, in addition to the administrative burden, they could be a source of inconsistency and problems.

To avoid duplicate registrations, the Secretariat proposed to develop guidelines and/or modifications to the OTIF Specifications. The Secretariat noted that only the data on vehicles which are actually used in a particular CS had to be accessible to entities in that CS. Access to all data on all vehicles was not necessary.

RS was of the view that duplicate registration of the same vehicle in several registers should be avoided. It also stressed that additional registration would be avoided if accessibility to the vehicle's data was ensured. RS suggested that the OTIF Secretariat could provide links to the relevant national registers after these had been notified by the Contracting States.

NB Rail asked whether additional registration also meant that the vehicle had to be re-authorised or re-admitted.

UIC supported both observations made by RS and NB Rail and said that the railway sector had a major interest in resolving this issue.

The **Secretariat** was of the view that the mutual recognition of the admission/authorisation of railway vehicles was regulated in Article 3a of ATMF UR and was not linked to any additional registration. The vehicles should therefore first be admitted and subsequently registered in the relevant national register. Only vehicles which are admitted may be registered.

ERA (Javier Vicente Fajardo) agreed with the Secretariat and pointed out the difference between the processes of authorisation (admission) and registration of the vehicle. It also highlighted the difference between the terms *re-registration* and *double registration*. The first term implied, for example, the withdrawal of the vehicle, cancellation of the registration or registration of the vehicle in another register and deletion of its data in the former register at the same time. In this case, the Unique Vehicle Number

(EVN) would be changed. The second term, *double registration*, referred to vehicles that were registered in two or more Contracting States, but with the same EVN. ERA also pointed out that in the EVR, vehicles were not differentiated by whether they were used in international or domestic traffic. It reminded the meeting that the EVN was assigned by the registration entities of the Contracting States.

The **Chair** summarised that the term *additional registration* should be understood as re-entry of the vehicle data in another system.

In response to the ERA's comments, the **Secretariat** said that it would consistently use the term *additional registration* in this respect and would avoid using the term *re-registration*. The Secretariat would use the correct terminology in the working document for the next meeting.

GB pointed out that there were two sets of vehicle data. Firstly, the data as defined in the OTIF Specifications and secondly, the technical characteristics of the vehicle, including data relevant to operations and safety. This second set of data may be subject to national legislation. Both sets of data may be included in one national vehicle register, in which case this register serves purposes beyond those of COTIF. It would be beneficial if such a register could exchange data with other registers (systems). As long as such exchanges are not possible, this would mean that even if vehicle register data were accessible, there may still be a need for the additional registration of data relevant to operations and safety.

The **Secretariat** agreed with GB that some data in addition to the data specified in the OTIF Specification may be required for operational purposes, for example by national legislation. The data discussed here only concerned the vehicle data defined in the OTIF Specifications (vehicle identification, keeper, ECM etc.). It did not concern data necessary for operational safety purposes.

The **Chair** summarised the discussion and noted three subjects that required further discussion: single registration, accessibility and transparency in the process of re-entering a vehicle's data. In the Chair's view, the last two issues would be easier to resolve than the first. The Chair also reminded the meeting of two rules prescribed in OTIF Specifications; non-EU vehicles had also to be registered in the EVR when entering the EU and access to data on vehicles used in international traffic should be accessible to all eligible users. The **Chair** concluded this item as follows:

- WG TECH took note of a presentation by the OTIF Secretariat about the need for access to vehicle data stored in vehicle registers, including for entities from the Contracting States that are not using the register concerned;
- Delegates exchanged views at the session;
- WG TECH requested the OTIF Secretariat to prepare a working document for the next session.

5. DEVELOPMENTS IN EU REGULATIONS THAT ARE OF RELEVANCE TO COTIF (PRESENTED BY ERA AND THE EUROPEAN COMMISSION)

ERA (Christoph Kaupat) gave an overview of the revision of TSIs. Bearing in mind ERA's workload concerning single vehicle authorisations and safety certifications, the European Commission (EC) had agreed to a six month delay to the previously agreed schedule, so that ERA's recommendation would be submitted to the EC before the end of June 2022. ERA expected that these recommendations could be approved by RISC in November 2022.

In reply to a question from GB about the deadlines that followed approval of the documents, ERA explained that according to the EU's legal practice, these would usually enter into force 20 days after their publication in the Official Journal of the EU, unless otherwise specified in the adopted document. He also informed the meeting that all the relevant dates (the date of application and the date of entry into force) were shown in the *TSI chronology table*² and published on ERA's website.

GB wondered whether and how the non-EU Contracting States could be involved in the work of ERA.

The **Secretariat** informed the meeting that on the basis of the Administrative Arrangements, the OTIF Secretariat participated in selected ERA working parties to represent the interests of all non-EU OTIF Contracting States. When taking part in ERA meetings, the OTIF Secretariat did not usually focus on the

² https://www.era.europa.eu/sites/default/files/activities/docs/tsis-chronology-table_en.pdf (last updated in March 2021)

technical details of the discussion, but rather on the possible legal implications if the rules were taken over in the COTIF framework.

Furthermore, the Secretariat explained that in the past, there had been a case where a delegate from a non-EU Contracting State had taken part in ERA meetings on behalf of the OTIF Secretariat. In that case, the representative did not represent the interests of his country, but of all the non-EU OTIF Contracting States. The delegate would prepare for the meeting and debrief on it with the Secretariat.

The Secretariat reminded the meeting that the non-EU Contracting States were also involved in reviewing the results of ERA working parties through consultations. Consultation was initiated by ERA before it issued a recommendation to the European Commission, and, in accordance with the Administrative Arrangements, the non-EU CSs were included in the consultation. Lastly, WG TECH had a recurrent agenda under which the EU Commission and ERA are invited to present the latest developments which are relevant to OTIF. Under this agenda item, non-EU CSs could actively engage with ERA and Commission officials about these developments.

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

- WG TECH noted a progress report from ERA concerning the TSI revisions;
- WG TECH noted the information on whether and how the non-EU Contracting States were involved in the work of ERA.

6. CROSS REFERENCE TABLE OF EU AND OTIF TERMINOLOGY

Document: [TECH-17049](#) Working document for review by WG TECH 43 (dated 25.5.2021)

The **Secretariat** presented the document. Compared to the version issued for WG TECH 42, the following modifications had been made in the form of tracked changes:

- Update of the definition of ECM Certification Body and the relevant COTIF and EU legal references (p.11);
- Update of COTIF definition on Registration Entity and the relevant legal reference (p.15).

The meeting took note of the document without further comments.

7. EU-OTIF EQUIVALENCE TABLE

Document: [TECH-18024](#) Working document for review by WG TECH 43 (dated 25.5.2021)

The **Secretariat** presented the document. Compared to the version issued for WG TECH 42, the following modifications had been made in the form of tracked changes:

- Addition of hyperlinks to the COTIF provisions, adopted by vote through written procedure in 2020;
- Addition of new UTP Infrastructure (UTP INF), UTP Train Composition and Route Compatibility Checks (UTP TCRC);
- Update of EU legal reference and the status of the COTIF provisions;
- Update of the comments column reflecting the status or progress on pending provisions for decision at the CTE 13 session;
- Editorial and error corrections.

The meeting took note of the document without further comments.

8. ANY OTHER BUSINESS

None

9. NEXT SESSIONS

The 44th session of WG TECH - 8 and 9 September 2021 in Bern, remote or hybrid meeting, directly following the JCGE meeting.

The 45th session of WG TECH - 3 and 4 November 2021 in Bern, to be confirmed.

The 14th session of CTE - 14 and 15 June 2022 in Bern, remote or hybrid meeting.

CLOSING REMARKS

The **Chair** thanked all the participants for the productive discussion and the OTIF Secretariat for preparing all the documents on time and closed the 43rd remote session of WG TECH.

List of participants**Annex I****I. Gouvernements / Regierungen / Governments****Albanie/Albanien/Albania**Mme/Fr./Ms **Eva Brinja**Sector of Railway Transport Policies
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Nordmazedonien/
North Macedonia**Mme/Fr./Ms **Svetlanka Popovska**

Sent apologies

Assistant Head of the Railway Department
Ministry of Transport and Communications
Railway Department**Roumanie/Rumänien/Romania**M./Hr./Mr. **Dragos Floroiu**Scientific Secretary
Romanian Railway Authority

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

M./Hr./Mr. Peter **Coverdale**

Policy Advisor
Department for Transport

M./Hr./Mr. Vaibhav **Puri**

Deputy Director of Standards and Head of Technical &
Regulatory Policy
Rail Safety and Standards Board (RSSB)

Serbie/Serbien/Serbia

M./Hr./Mr. Milan **Popović**

Head of the railway safety department
Directorate for Railways

Suisse/Schweiz/Switzerland

Mme/Frau/Ms. Linda **Ay**

Project Manager Safety and Interoperability
Federal Office of Transport

Turquie/Türkei/Turkey

M./Hr./Mr. Serdar **Akil**

Transportation and Communication Assistant Expert
Ministry of Transport and Infrastructure

**II. Organisation régionale d'intégration économique
Regionale Organisation für wirtschaftliche Integration
Regional economic integration organisation**

**Union européenne/Europäische Union/
European Union**

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

Mme/Fr./Ms Alice **Polo**

Policy Officer
European Commission - Directorate General for Mobility
and Transport
Unit C4 – Rail Safety and Interoperability

**European Union Agency for Railways
(ERA)**

M./Hr./Mr. Rémy **Dayez**

Chef de la division Sécurité Interopérabilité, Section de
coordination
European Union Agency for Railways

(Only 2nd day)

M./Hr./Mr. Peter **Mihm**

Head of Technical Cooperation
European Union Agency for Railways (ERA)
Strategy, Research and International Standards Unit

M./Hr./Mr.	Javier Vicente Fajardo	Project Officer European Union Agency for Railways (ERA)
M./Hr./Mr.	Filip Skibinski	Project Officer European Union Agency for Railways (ERA)
M./Hr./Mr.	Christoph Kaupat	Project Officer European Union Agency for Railways (ERA)

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

CER

M./Hr./Mr.	Gilles Quesnel	Directeur Interopérabilité et Normalisation (SNCF) Representing CER
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NB Rail

M./Hr./Mr.	Francis Parmentier	General Manager NB Rail
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OSJD

M./Hr./Mr.	Radovan Vopalecky	Chairman of the Commission on Infrastructure and Rolling Stock OSJD - Committee of the Organization for Cooperation of Railways
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UIC

M./Hr./Mr.	Frédéric Henon	Head of Operations & Safety Union internationale des chemins de fer (UIC)
M./Hr./Mr.	Jozef Fázik	Chargé de mission, Relations Institutionelles Union internationale des chemins de fer (UIC)

IV. Secrétariat Sekretariat Secretariat

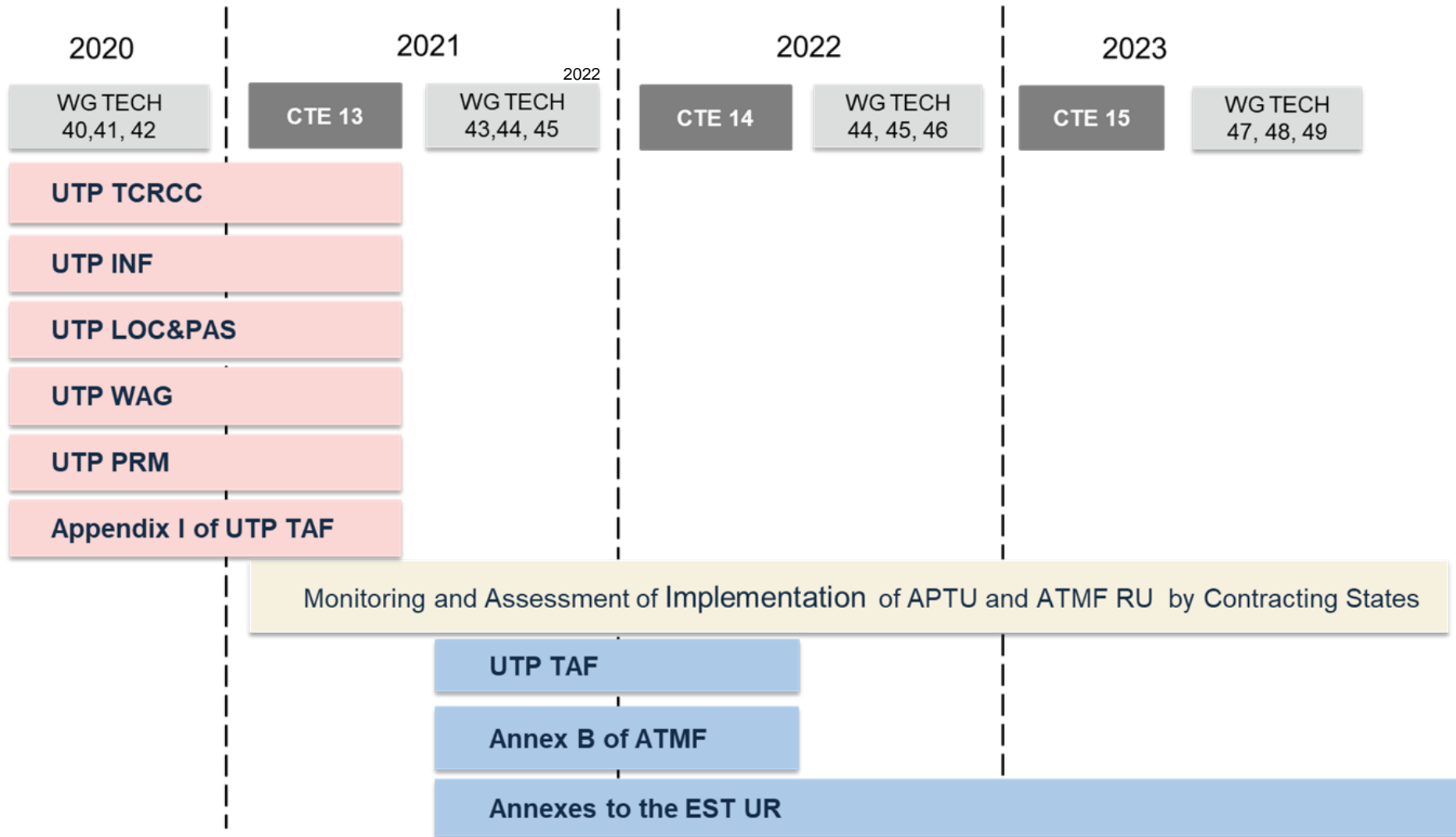
M./Hr./Mr.	Bas Leermakers	Head of Department
Mme/Fr./Ms.	Maria Price	Expert
M./Hr./Mr.	Dragan Nešić	Expert

Approved Agenda**Annex II**

1. Election of chair
2. Approval of the agenda
3. Information from the OTIF Secretariat
4. For discussion:
 - a) Development of the Annexes to the EST UR (Appendix H to COTIF)
(Common Safety Method on Safety Management System requirements and the Common Safety Method on monitoring)
 - b) Revision of UTP TAF
(Telematics applications for freight services)
 - c) Analysis and review of Annex B to the ATMF UR (Derogations)
 - d) Vehicle registers
5. Developments in EU regulations that are of relevance to COTIF (presented by ERA and European Commission)
6. Cross reference table of EU and OTIF terminology
7. EU-OTIF equivalence table
8. Any other business
9. Next sessions

The CTE 13 decisions in a timeline context

Annex III



Scenarios for access to vehicle data

Annex IV

Vehicle registered in → Vehicle running in ↓	State A EU state (EVR)	State B Non-EU state using EVR	State C Non-EU state using specific register (not EVR)
State D EU state (EVR)	(1) EU law applies, COTIF does not apply	(2) Data are in EVR Data are deemed accessible	(3) Data are in specific register of state C Data must be reregistered in EVR
State E Non-EU state using EVR	(4) Data are in EVR Data are deemed accessible	(5) Data are in EVR Data are deemed accessible	(6) Data are in specific register of state C State E should be granted access to the register of state C If access is not possible, additional registration in EVR may be required
State F Non-EU state using specific register (not EVR)	(7) Data are in EVR State F should be granted access to EVR If access is not possible, additional registration in register of state F may be required	(8) Data are in EVR State F should be granted access to EVR If access is not possible, additional registration in register of state F may be required	(9) Data are in specific register of state C State F should be granted access to the register of state C If access is not possible, additional registration in register of state F may be required