

# WORK PROGRAMME

2022/2023



**OTIF**

Intergovernmental Organisation for International Carriage by Rail



**OTIF**

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

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# GENERAL OBJECTIVES

A FORUM FOR UNIFORM

RAILWAY LAW CONTINUOUS

IMPROVEMENT OF SAFETY IN

THE TRANSPORT OF DANGEROUS

GOODS PROMOTE SAFE

TECHNICAL INTEROPERABILITY

ENSURE THAT THE SECRETARIAT

FUNCTIONS PROPERLY AND THAT

THE MEMBER STATES

ARE PROVIDED WITH AN

EFFICIENT SERVICE

THE PROVISION OF

ON-TIME HIGH-QUALITY

LANGUAGE SERVICES

INCREASE AWARENESS OF OTIF

# INTRODUCTION



**Clio Liégeois**  
*Chair of the AC*



**Wolfgang Küpper**  
*Secretary General*

Despite the COVID-19 pandemic, the OTIF Secretariat, together with the competent organs, succeeded in completing the essential parts of the 2020-2021 work programme. **The 15<sup>th</sup> General Assembly** took some important decisions for the future, both with regard to the next two years and thus the new work programme, and for the future with regard to the work on a complementary long-term strategy for OTIF. The question is where OTIF stands 20 years after Vilnius and where the journey is leading it in the long term.

The last question is particularly important when looking at the current political framework conditions for international rail transport. For all sectors (long-distance passenger transport, freight transport, including dangerous goods, cross-border local transport), a renaissance of rail transport is emerging on the basis of measures which are planned and which have already been taken by governments worldwide to achieve sustainable transport. OTIF can and should make an important contribution to the necessary developments in transport.

As before, **continuity** is central to OTIF's work. This applies both to the operational departments and to the supporting departments. Fortunately, OTIF's work is not subject to day-to-day political constraints and is oriented towards the very long-term.

What is new is that for the first time the work programme will contain a chapter with **cross-cutting issues** that go beyond the responsibilities of the individual departments.

There is a lot of talk about **resilience** in connection with climate change and in connection with the COVID-19 pandemic. OTIF should also be equipped with the necessary robustness to be able to fulfil its specific tasks internally and externally. This robustness is particularly evident in the approaching renovation of the building, which will ensure OTIF's ability to work and play its important role in strengthening international rail transport for decades to come.

# GENERAL OBJECTIVES



**Wolfgang Küpper**  
*Secretary General*

## Decisions of OTIF's 15<sup>th</sup> General Assembly

OTIF's 15<sup>th</sup> General Assembly in September 2021 set the course for the further general direction of OTIF's work.

### Monitoring and assessment of legal instruments

**A**t its 15<sup>th</sup> session, the General Assembly adopted a 'Decision on the monitoring and assessment of legal instruments' (OTIF-21002-AG 15). This Decision reconfirms the Organisation's commitment effectively to meet its aim of promoting, improving and facilitating, in all respects, international traffic by rail. In particular, the Decision is based on the Organisation's task set out in Article 2 § 1, letter e) of COTIF to keep a watch on the application of all the rules and recommendations (legal instruments) established within the Organisation.

The Decision applies to OTIF's entire legal system, specifically the Convention or any other legally binding or non-binding act adopted by OTIF's organs. It will therefore frame the Organisation's work in the area of railway law and in terms of institutional and administrative matters. The OTIF organs referred to in Article 13 §§ 1 and 2 of COTIF, or the organs established by them (in other words, all the Organisation's organs) are entitled to initiate monitoring and assessment of the application of a particular legal instrument, or specific provisions thereof, within the sphere of their competence. The Secretary General may initiate monitoring and assessment of any legal instrument.

All OTIF's Committees will play a pivotal role in the application of the 'Decision on the monitoring and assessment of legal instruments', particularly with regard to the implementation and application of COTIF itself and its appendices.

## Complementarity of the Work Programme and Long-Term Strategy

The General Assembly reaffirmed the need for a long-term strategy for OTIF that goes well beyond the two-year work programme. OTIF's work must not simply be limited to day-to-day business and on the basis of an inventory, must be given a clear direction for the next few decades. The strategy has not yet been adopted, but the necessary and desired interlocking/complementarity of the long-term strategy and work programme will have a significant impact on the latter in the future.

## Human and financial resources

The decisions taken by the 15<sup>th</sup> General Assembly opened up the possibility that OTIF's important work can in future continue to be carried out on a solid basis.

On the one hand, this concerns the additional flexibility in the personnel area. Without departing from the path of financial consolidation of the Organisation, the upper limit for current expenditure has been slightly increased. This will enable OTIF to continue to employ well-trained and motivated staff and maintain OTIF's attractiveness as an employer.

It is equally important that the fundamental renovation of OTIF's headquarters is started immediately. Here too, the General Assembly noted and approved the Secretariat's relevant plans and the preparatory work carried out by the Administrative Committee.

## Digitalisation

Digitalisation is developing rapidly and presents new opportunities and challenges for the railway sector. For the competitiveness of railway transport, it is vital that both national, regional and international regulations, as well as the railway sector itself, are adapted to meet new challenges and reap the full benefits.

Digitalisation has an impact on all areas of railway transport and other transport modes, as well as on related areas, such as customs. One consequence of this is that all areas of the law developed by OTIF, particularly all the appendices to the Convention, have to be assessed in order to ascertain whether they are “ready” for digitalisation and, if necessary, any relevant adaptations have to be made. Moreover, a coordinated and harmonised approach should be ensured, as far as possible, throughout OTIF’s legal system and with other related areas, for instance OSJD’s legal system, other transport modes and customs.



## Appropriate working methods for the OTIF Secretariat

The coronavirus pandemic has significantly changed the way OTIF works. This primarily affects the individual work of respective employees, who have predominantly been teleworking since the beginning of the pandemic. However, even before the pandemic, teleworking had been introduced, initially on a trial basis, and then permanently for the Translation Department. The positive experiences with teleworking so far will therefore be carried over to other employees by means of a corresponding internal regulation.

The way in which international conferences and meetings are held, which essentially determine the external work of OTIF, has also been fundamentally altered. Video-conferences, or at least hybrid conferences, have largely replaced meetings which delegates attend in person. Once the pandemic ends, there will certainly be more physical meetings again, but Member States that are geographically very distant from Bern and that may have fewer financial resources will probably continue to participate in meetings remotely. Less (air) travel will lower the carbon footprint of OTIF as well. In addition to the relevant regulations, the necessary technical systems must also be used for this. It should be noted in particular that OTIF carried out complicated legislative work in three working languages, which places very high demands on the respective systems.

# A FORUM FOR UNIFORM RAILWAY LAW



**Aleksandr Kuzmenko**  
*Head of Legal Department*

The appendices to COTIF constitute uniform railway law for international railway transport among OTIF's members. In order to ensure that this uniform railway law is managed and developed, an institutional system is established by COTIF itself. In other words, OTIF provides a forum to manage and develop uniform railway law. However, this also means that the institutional system itself should be developed.

The General Assembly and the Revision Committee share the competence with regard to modifying the Convention itself and its appendices (except Appendix C to COTIF). However, implementation and application of the rules in force within the Organisation must be monitored and assessed. Moreover, as a result of monitoring and assessment and/or of new demands or requirements, the existing legal instruments might be modified or supplemented.

At its 15<sup>th</sup> session, in accordance with Article 13 § 2 of COTIF, the General Assembly established, for a three-year period, an ad hoc Committee on Legal Affairs and International Cooperation. Without prejudice to the competence of the organs referred to in Article 13 § 1 of the Convention, it was decided that "the ad hoc Committee's mandate shall be:

- a) to prepare draft amendments or supplements to the Convention;
- b) to provide legal advice on its own initiative or at the request of the organs referred to in Article 13 §§ 1 and 2 of the Convention or at the request of organs established by them;
- c) to promote and facilitate the functioning and implementation of the Convention;
- d) to monitor and assess legal instruments;
- e) to take decisions on cooperation with other international organisations and associations, including establishing and dissolving consultative contact groups with other international organisations and associations and monitoring the functioning of contact groups."

At its 1<sup>st</sup> session on 9-10 November 2021, the ad hoc Committee on Legal Affairs and International Cooperation adopted its Work Programme for 2022-2024. The Work Programme reflects three areas of activity: legal affairs, international cooperation and the long-term strategy. The area of legal affairs is the central area of activity and includes: a) monitoring and assessment of legal instruments and b) legal advice. The Work Programme is ambitious and it is obvious that it will not be completed in three years and the work will continue afterwards. However, at its 2<sup>nd</sup> session in spring 2022, the ad hoc Committee will define priorities for different topics. The current objectives in its Work Programme for 2022-2024 are presented below.

The Legal Department will continue to ensure substantive secretariat functions for the General Assembly and Revision Committee with regard to the procedure for modifying the Convention and amendments to COTIF itself and its Appendices A (CIV UR), B (CIM UR), D (CUV UR) and E (CUI UR), and for the ad hoc Committee on Legal Affairs and International Cooperation.

## Legal affairs: monitoring and assessment of legal instruments

### COTIF itself and general issues:

- **Monitoring and assessment of implementation of COTIF.** Assist the Secretary General in performing monitoring and assessment of the implementation of the Convention.
- **Arbitration.** Assess whether the arbitration procedure in COTIF is actually necessary and, if necessary, propose modifications.
- **Database of case law and bibliography.** Set up a database of case law and bibliography relating to the application of COTIF.
- **Adoption, authentication, certified copies and publication of COTIF.** Explain legal requirements with regard to the adoption, authentication, certified copies and publication of the Convention. Whenever useful, standardise and harmonise the relevant procedures of the General Assembly and the Revision Committee.

## CIM UR

- **Interfaces between customs and transport regulations.** Assess interfaces between customs and transport regulations and, if necessary, propose follow-up actions with regard to customs matters relating to the carriage of goods by rail.
- **The digitalisation of international transport, particularly freight transport documents.** New technologies, digitalisation in particular, have the potential to change the organisation and management of railway transport. However, digitalisation brings both improvements and new challenges. The aim is to monitor and assess how digitalisation, and which specific aspects, should be supported and/or regulated by OTIF.
- **Bill of lading.** Consider introducing the possibility of using transport documents with a document of title function for the carriage of goods under the CIM UR.

## CUV UR

- **Liability for loss or damage caused by a vehicle (Article 7 of the CUV UR).** Monitor and assess application of provisions on liability for loss or damage caused by a vehicle (Article 7 of the CUV UR).
- **Movement of empty wagons.** Monitor and assess application of COTIF rules to the movement of empty wagons.

## Legal affairs: legal advice

### COTIF itself and general issues:

- **UNECE initiative on Unified Railway Law.** Monitor the UNECE project concerning the unification of railway law.
- **Railway network access conditions and cross-border cooperation for the purpose of organising international rail transport.** Develop a non-binding legal framework on railway network access conditions and cross-border cooperation for the purpose of organising international rail transport.
- **Use of gender-neutral language in OTIF.** Introduce gender-neutral language in OTIF legal instruments.
- **Use of electronic signatures in official communications between OTIF and its members.** Examine the legal requirements for the use and acceptance of electronically signed documents (credentials, letters, approvals, reservations, depositary notifications etc.) in official communications between OTIF and its members.

## CUI UR

- **Uniform contract for international train paths.** Increasing the modal share of rail freight is inconceivable unless there is real fluidity in international traffic and, in particular, a simple mechanism for allocating train paths. Based on existing international rules, namely CUI UR, and following the model of the GCU contract based on CUV, a coordinated and uniform legal framework for using international train paths should be established by the sector, with the support of OTIF.
- **Application of the CUI UR to service facilities.** Examine the issue of the application of the CUI UR to service facilities. In particular, it should be established whether the CUI UR apply and to what extent.

## International Cooperation

- **Monitor and support cooperation with international organisations and associations.** Monitor and enhance cooperation between OTIF and other international organisations and associations, in particular those with direct responsibilities in the field of railway transport.
- **Enhancing stakeholder involvement within OTIF.** Develop an inclusive and transparent stakeholder involvement policy in order to promote COTIF, develop railway law and monitor and assess existing legal instruments.
- **Handbook on COTIF and its implementation and application by international associations.** Clarify the roles and responsibilities of international associations with regard to the implementation and application of COTIF, thus promoting and facilitating the uniform implementation and application of COTIF.

## Long-term strategy

- **Development of a long-term strategy.** Assist the Secretary General in the preparation of a long-term strategy based on the decision of the General Assembly at its 15<sup>th</sup> session.

## International organisations and associations

The achievement of OTIF's aims depends, among other things, on effective and efficient cooperation with relevant international organisations and associations. In practical terms, the need for an extensive cooperation network is explained by the following factors:

- the existence of two international legal systems for rail transport, namely those of OTIF and OSJD;
- international organisations that have a general mandate for the economic development of trade and/or transport are active in the area of railway transport;
- private actors and their associations are allowed a wide degree of freedom and responsibility to implement COTIF;
- international railway law does not exist in a regulatory vacuum and it interacts with other areas of law, so functional interfaces and consistency have to be ensured.

Taking into account the existence of two legal systems for rail transport and the increase in intercontinental railway traffic, cooperation with OSJD should be enhanced in order to achieve more harmonised regulations and thus improve the competitiveness of railway transport.

The distinctive feature of OTIF's legal system is that private entities involved in international railway transport in particular are allowed broad commercial freedom and broad responsibility for defining the necessary implementing measures. Such an approach provides the necessary flexibility and enables rail transport to compete with other transport modes and to meet the needs of globalised transport markets. As a result, the roles of the relevant international associations with regard to the application and implementation of OTIF's legal system have to be clarified and cooperation with them has to be strengthened.

The ad hoc Committee on Legal Affairs and International Cooperation will play a central role in overseeing, developing and enhancing international cooperation with international organisations and associations

## Promoting and assisting accession to COTIF

Uniform international railway law ensures legal certainty and reduces costs, thus facilitating international trade and movement of passengers. OTIF's aim is to promote, improve and facilitate, in all respects, international traffic by rail among states, irrespective of their political, legal or economic system.

Enlarging OTIF's membership will benefit existing members and acceding states. The promotion of accession to COTIF and the provision of assistance to interested states and regions is therefore an ongoing priority for OTIF.

The Legal Department will continue to provide legal advice and assistance on the procedure for accession to COTIF. Moreover, it will assist interested states and regional economic integration organisations in the implementation of COTIF itself and Appendices A (CIV UR), B (CIM UR), D (CUV UR) and E (CUI UR).

## Execution of depositary functions

The Secretary General is the Depositary of the Convention concerning International Carriage by Rail (COTIF). The depositary functions are administrative and non-political. Among other things, the Secretary General's depositary functions include receiving and keeping custody of any instruments and notifications relating to COTIF, such as

- ratifications;
- declarations/reservations;
- withdrawals of declarations/reservations;
- approvals of modifications to the Convention adopted by the General Assembly;
- applications for accession to COTIF;
- notifications of railway lines, maritime and inland waterway services to be subject to the CIV/CIM legal regime etc.



To a certain extent, the performance of these functions includes the impartial exercise of control and supervision. In so doing, the Secretary General has followed the practice of the Secretary-General of the United Nations as the Depositary of multilateral treaties. His own practice as Depositary started to develop from the entry into force of COTIF as amended by the 1999 Vilnius Protocol (1.7.2006) and was summarised and published in the “Guidelines on treaty acts under COTIF. The Secretary General of OTIF as the depositary of COTIF” on 20 November 2017. The Depositary will consistently apply the Guidelines and, whenever necessary, supplement or revise them.

At its 13<sup>th</sup> session, the General Assembly instructed the Secretary General to assist the Member States, upon request and whenever possible, in the accomplishment of national procedures that are necessary with regard to modifications adopted by the General Assembly.

On behalf of the Secretary General, the Legal Department will perform depositary functions with regard to COTIF itself and Appendices A (CIV UR), B (CIM UR), D (CUV UR) and E (CUI UR).

## PROVISIONAL PLANNING

2<sup>nd</sup> session of the ad hoc Committee  
on Legal Affairs and International  
Cooperation  
**April 2022**

3<sup>rd</sup> session of the ad hoc Committee  
on Legal Affairs and International  
Cooperation  
**October 2022**

4<sup>th</sup> session of the ad hoc Committee  
on Legal Affairs and International  
Cooperation  
**Spring 2023**

5<sup>th</sup> session of the ad hoc Committee  
on Legal Affairs and International  
Cooperation  
**Autumn 2023**

# CONTINUOUS IMPROVEMENT OF SAFETY IN THE TRANSPORT OF DANGEROUS GOODS



**Jochen Conrad**

*Head of Dangerous Goods Department*

Like the Agreement concerning the International Carriage of Dangerous Goods by Road (ADR) and the European Agreement concerning the International Carriage of Dangerous Goods by Inland Waterway (ADN), the Regulations concerning the International Carriage of Dangerous Goods by Rail (RID) are revised every two years. This ensures a relatively quick adaptation to the current state of science and technology.

The ongoing development of RID takes place in several stages. First of all, every two years RID is harmonised with the UN Recommendations on the Transport of Dangerous Goods, which are developed by the UN Sub-Committee of Experts. In parallel, the work of the RID/ADR/ADN Joint Meeting takes place, whose task is to develop harmonised dangerous goods provisions for all the land transport modes (rail, road and inland waterways). The rail-specific requirements are defined by the RID Committee of Experts and its standing working group.

## UN Recommendations on the Transport of Dangerous Goods

The United Nations Sub-Committee of Experts on the Transport of Dangerous Goods develops global recommendations on the transport of dangerous goods, which are then carried over by the competent international organisations into the dangerous goods regulations for the various transport modes (sea, air, rail, road, inland waterways). In 2022, this Committee will conclude work on the 23<sup>rd</sup> revision of the UN Recommendations on the Transport of Dangerous Goods. The OTIF Secretariat takes part in the work of this Committee in an advisory capacity. In 2023, this Committee will start work on the 24<sup>th</sup> revision of the UN Recommendations, which will then come to fruition for rail transport in the 2027 edition of RID.

In order to carry over the amendments from the 23<sup>rd</sup> revised edition of the UN Recommendations, the Joint Meeting set up a working group whose task is to draft proposals on how the amendments adopted for the UN Recommendations can be integrated into RID/ADR/ADN 2025. At a three day meeting in April 2023, this working group will draft a proposal on the basis of a draft to be prepared by the UNECE and OTIF Secretariats to carry over the amendments adopted by the UN Committee of Experts in December 2022 into RID/ADR/ADN. This means that detailed discussions at the Joint Meeting can be avoided.

## Common dangerous goods provisions for land transport

The RID/ADR/ADN Joint Meeting develops the dangerous goods provisions that apply jointly to all the land transport modes (rail, road and inland waterways). The RID Department of the OTIF Secretariat provides the Secretariat for the Joint Meeting, together with the Secretariat of the UNECE Transport Division.

A total of five weeks of meetings have been planned for the 2022-2023 biennium of the RID/ADR/ADN Joint Meeting, starting with the spring session in 2022. Decisions the Joint Meeting takes in this biennium will be reflected in the 2025 editions of RID, ADR and ADN. Each year, more than 50 official documents published in OTIF's three working languages and in Russian, and around 100 informal documents, which are usually made available in English only, must be dealt with.

## Rail-specific dangerous goods provisions

The rail-specific dangerous goods provisions are defined by the RID Committee of Experts and its standing working group.

The provisions for the international carriage of dangerous goods by rail are continuously amended, and must also be applied in domestic transport in the EU Member States in the context of EU Directive 2008/68/EC on the inland transport of dangerous goods. Provisions adopted by the RID Committee of Experts therefore take effect well beyond OTIF and also ensure the significance of the Organisation for the whole sector. The RID Committee of Experts only meets once every two years in order to approve the decisions of its standing working group. The next session is planned for May 2022, where all the texts for the 2023 edition of RID will receive final approval.

The standing working group, which prepares the RID Committee of Experts' decisions, will hold one two-day and two one-week meetings in the 2022-2023 biennium. The two-day meeting in May 2022 will conclude the work for the 2023 edition of RID and the one-week meetings in November 2022 and November 2023 will discuss provisions that are specific to the railways and which will enter into force in 2025. After the meeting in November 2023, where the focus will be on examining the amendments adopted by the RID/ADR/ADN Joint Meeting for the 2025 edition, there will be coordination between the Member States of the European Union and the results of this will be taken into account in the concluding meeting of the RID Committee of Experts in 2024.

In order to further the work on harmonising RID and SMGS Annex 2, the Member States of OSJD will be invited to the meetings of the RID Committee of Experts and its standing working group and Russian interpretation will be provided.

## 2023 edition of RID

The 2023 edition of RID, which will be decided at the RID Committee of Experts' meeting in May 2022, will include the following new points:

- Inclusion of a new section 1.2.3 explaining the abbreviations used in RID.
- Possibility of using refillable pressure receptacles approved by the United States Department of Transportation for the import of gases into and export from the RID area. At the same time, RID/ADR pressure receptacles will be approved in the US dangerous goods regulations for the import and export of gases.
- Common requirements for the approval and monitoring of inspection bodies operating in the framework of the approval and inspection of pressure receptacles and tanks with a view to their mutual recognition.
- Inclusion of the new UN number 3550 for cobalt dihydroxide powder, an intermediate product in the production of cobalt, which is required, among other things, for the production of lithium batteries.
- Relaxations for the carriage of waste containing hazardous substances.
- Possibility of using recycled plastics in the manufacture of intermediate bulk containers (IBCs) and large packagings.
- Mandatory fitting of safety valves to tank-containers carrying flammable liquefied gases to reduce the risk of a BLEVE (boiling liquid expanding vapour explosion).
- New provisions for the construction, approval and inspection of portable tanks made of fibre-reinforced plastics (FRP). The provisions for FRP tank-containers used in European land transport served as the basis for these new provisions and will be removed from the regulations. This means that uniform provisions now apply to tank-containers made of fibre-reinforced plastics that can be used throughout Europe and worldwide.
- It may also be possible to include a definition of extra-large tank-containers and requirements for the minimum wall thickness of these new types of transport containers.

## 2025 edition of RID

Decisions on the following topics may be reflected in the 2025 edition of RID:

### Sodium batteries

Sodium-ion batteries are a cost-effective alternative to lithium-ion batteries because the necessary raw material is available in practically unlimited quantities. Unlike lithium-ion batteries, sodium-ion batteries are proofed against deep discharge and can be discharged down to 0 volts without affecting the battery's performance. Full discharge is an important factor for battery safety, because the state of charge has a significant impact on the heat release rate and hence on the thermal stability of a battery during transport.

The work on transport conditions for sodium batteries could not be completed in time in the last biennium due to the COVID-19 pandemic. For inclusion in the 2025 edition of RID, initial experience from a multilateral special agreement countersigned by various RID Contracting States to bridge the interim period can be taken into account.

### Lithium batteries

The hazards posed by lithium batteries relate mainly to the amount of lithium they contain and the electrolyte used. The dangerous goods regulations contain conditions under which lithium batteries can be exempted. In the past, the definition of limit values was based on batteries used in mobile phones, notebooks or power tools. The technology has developed a lot since then, so that lithium batteries can provide more energy with the same amount of active substances. This means that batteries for the above-mentioned devices now have a much higher nominal energy and can no longer be exempted. Provided that this does not have a detrimental effect on safety, attempts will be made to raise the limits applicable to exemptions.

Large lithium batteries or large devices containing lithium batteries may only be packed individually in large packagings. Against the background of the growing number of battery-powered motor vehicles and the rapidly increasing production of lithium batteries, the battery industry would also like to allow several batteries in one large packaging. According to the industry, large packagings containing several lithium cells and batteries properly isolated from each other do not pose a greater risk than numerous smaller packagings containing the same number of cells stacked on a pallet. Further work is needed to clarify the responsibilities and testing requirements for such large packagings.

## Use of recycled plastics material

Global initiatives to limit the negative impact of human activities on the environment (e.g. the European Union's "Green Deal") also have an impact on the production of plastics packagings. The new levy on non-recycled plastics packagings introduced by the European Union means that manufacturers and users of plastics packagings will have to change their traditional production processes. Ways are being sought to reduce the amount of virgin plastics material and increase the proportion of recycled plastics material in production processes.

At the moment, the regulations for the production of plastics packagings for the transport of dangerous goods contain only very limited possibilities for the use of recycled plastics. For example, only plastics from used industrial packagings may currently be reused, while recycled plastics from household collections are not permitted. Ways are being sought to increase the recycled proportion of these plastics packagings without compromising safety in the carriage of dangerous goods.

## Service equipment made of fibre-reinforced plastics

At present, valves, pressure relief devices and manholes for all types of portable tanks are made of metallic materials. Particularly when carrying corrosive substances, these devices have a shorter service life than the shell. An informal working group of the UN Sub-Committee of Experts will look into the question of whether fibre-reinforced plastics (FRP) can also be used for service equipment in the future.

## Further development of the regulations on energy absorption and protection against the overriding of buffers

RID contains few technical vehicle provisions for the carriage of very dangerous goods. These include requirements for increased energy absorption due to plastic deformation and measures to prevent the overriding of buffers or to limit damage in the event of the overriding of buffers. In future, RID should only define protective aims and refer to the Uniform Technical Prescriptions (UTP) based on the APTU UR (Appendix F to COTIF) or the Technical Specifications for Interoperability (TSI) with regard to the technical requirements.

In this reorganisation of the regulations, consideration must be given to how these requirements can also be implemented in the carriage of extra-large tank-containers and in the future use of digital automatic coupling devices.



## Further requirements for extra-large tank-containers

RID contains requirements concerning the accelerations that tank-containers and their securing devices must be able to withstand. The risk analysis of extra-large tank-containers measured acceleration values that are higher than those prescribed for ISO tank-containers in RID. If the free movement of carrying wagons with extra-large tank-containers is to be made possible in marshalling yards with hump shunting, these higher accelerations must be laid down in RID.

## Publication of interpretations of RID

Dealing with questions of interpretation is a standing agenda item for meetings of the RID Committee of Experts' standing working group. These interpretations should in future be published on OTIF's website. This is particularly important in cases where answering questions of interpretation does not lead to an amendment of the regulations. At the same time, however, consideration should be given to whether a systematic record should be made of the background to amendments to RID and the associated discussions.

## Construction and testing requirements for 1520 mm gauge tank-wagons

In some RID Contracting States, 1520 mm gauge tank-wagons are also used in addition to 1435 mm gauge tank-wagons. The working group on tank and vehicle technology will carry out a more detailed examination of Chapter 6.20 of SMGS Annex 2, which contains construction provisions for 1520 mm gauge tank-wagons, in order to establish whether and how this chapter can be integrated into RID.

## Cooperation with the Organisation for the Cooperation of Railways (OSJD)

Since 2012, there has been close cooperation between the RID Department and the OSJD Committee, with the aim of ensuring harmonisation between RID and SMGS Annex 2, the dangerous goods law applied by the OSJD Member States. This cooperation leads to considerable simplification of dangerous goods transport between these two legal regimes.

In order to further this harmonisation, the OSJD Member States are also invited to the meetings of the RID Committee of Experts' standing working group. In return, the RID Department can take part in an advisory capacity in all meetings of the OSJD Commission on the development of SMGS Annex 2 and its working groups. As the working languages of the OSJD Committee (Chinese and Russian) and the OTIF Secretariat (German, English and French) are not the same, since 2015 RID has been translated into Russian and made available on OTIF's website.

Almost all the amendments adopted for RID are also integrated into SMGS Annex 2, and enter into force six months later. In return, the standing working group will examine whether the construction provisions for broad-gauge tank-wagons can be included in RID (see above).

## Cooperation with the United Nations Economic Commission for Europe

Very close cooperation has been practised for decades with the United Nations Economic Commission for Europe in the RID/ADR/ADN Joint Meeting, whose task is to develop provisions that apply to all three land transport modes. The RID Department of the OTIF Secretariat provides the Secretariat for the Joint Meeting, together with the Secretariat of the UNECE Transport Division.

WP.15 is the body of the United Nations Economic Commission for Europe (UNECE) responsible for the ongoing development of the Agreement concerning the International Carriage of Dangerous Goods by Road (ADR). Its decisions must also be applied in domestic transport in the EU Member States in the context of EU Directive 2008/68/EC on the inland transport of dangerous goods. The RID Department of the OTIF Secretariat takes part in WP.15 meetings in an advisory capacity in order to work towards harmonised provisions for European land transport.

## Cooperation with the International Union of Railways (UIC)

The UIC's Group of Experts on the Transport of Dangerous Goods prepares the railways' positions on proposals submitted to the RID/ADR/ADN Joint Meeting and RID Committee of Experts, and prepares proposals of its own. The RID Department of the OTIF Secretariat takes part in an advisory capacity in the two-day meetings held twice a year.

## PROVISIONAL PLANNING

RID/ADR/ADN Joint Meeting  
**Berne, 14 to 18 March 2022**

14<sup>th</sup> session of the RID Committee of Experts' standing working group  
**Berne, 23 and 24 May 2022**

56<sup>th</sup> session of the RID Committee of Experts  
**Berne, 25 May 2022**

5<sup>th</sup> session of the Joint Coordinating Group of Experts (JCGE) (jointly organised with the TECH Department)  
**Berne, 6 September 2022**

RID/ADR/ADN Joint Meeting  
**Geneva, 12 to 16 September 2022**

15<sup>th</sup> session of the RID Committee of Experts' standing working group  
**21 to 25 November 2022**

RID/ADR/ADN Joint Meeting  
**Berne, one week in March 2023**

6<sup>th</sup> session of the Joint Coordinating Group of Experts (JCGE) (jointly organised with the TECH Department)  
**one day in September 2023**

RID/ADR/ADN Joint Meeting  
**Geneva, two weeks in September 2023**

16<sup>th</sup> session of the RID Committee of Experts' standing working group  
**one week in November 2023**

# PROMOTE SAFE TECHNICAL INTEROPERABILITY

## From exchange of vehicles to the truly international operation of trains



**Bas Leermakers**

*Head of Technical Interoperability Department*

In order to support decarbonisation, rail transport must provide reliable, sustainable and fast transport of goods and passengers. In order to achieve this, the national rail systems must become more aligned and interconnected so that not only can vehicles be exchanged in international traffic, but also complete trains can cross borders and operate truly internationally. One of the fundamental preconditions for this is the mutual acceptance of rolling stock in international traffic, which is the aim of the APTU and ATMF UR. In future, railway undertakings should also be able to operate their trains across multiple states on the basis of the EST UR. The Committee of Technical Experts, supported by OTIF's Technical Interoperability Department, works on the legal provisions within the scope of the APTU, ATMF and EST UR.

### Harmonisation of technical requirements and procedures

**T**echnical rules for the acceptance of vehicles are absolutely necessary for international rail traffic. Without the international mutual acceptance of rail vehicles, all loads would have to be transhipped at each border. This is why, a century ago, the then national railway companies agreed, in the form of the RIV and RIC agreements, on standardised vehicles which were mutually accepted. With regard to the technical provisions, the APTU and ATMF UR are the international law successors to these RIV and RIC agreements.

The Committee of Technical Experts adopts detailed provisions in the form of Uniform Technical Prescriptions (UTPs) and in the form of Annexes to the ATMF UR. These provisions have to be updated regularly in order to take account of practical experience and technical progress. The Committee of Technical Experts is also competent to declare equivalence, in railway safety terms, between provisions in the UTP and the corresponding rules of the European Union contained in TSIs.

# PRINCIPLES UNDERPINNING THE DEVELOPMENT OF TECHNICAL PROVISIONS

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

1. Harmonisation of technical and operational rules is most useful if it is implemented over the widest possible geographical scale. It is therefore worthwhile to attract new Contracting States. COTIF provisions should make sense and be of use in different geographical areas and between states which may have different legal systems. The structure of railways can differ as well, ranging from competitive open-access to fully integrated state monopolies. COTIF should build a bridge between these differences.
2. Compatibility between the technical provisions of COTIF and the provisions of European Union (EU) law is an important aim, as is the continued mutual acceptance of vehicles authorised or admitted in accordance with equivalent provisions.
3. States may choose the level of interoperability suitable for them, i.e. border crossing of vehicles only or of complete trains. The technical provisions should cater to requirements at all levels and should therefore be appropriately flexible. However, this also justifies the development of far-reaching interoperability provisions for use only between states which wish to facilitate the cross-border operation of complete trains.
4. Compatibility with EU legislation must be maintained. This does not mean that all aspects can be taken over, as the general scope of COTIF must be complied with. For example, elements from EU legislation linked only to market opening, either for services or for products, should not be taken over, as there is no basis for them in COTIF.
5. There may be potential to simplify some existing COTIF provisions which have already been taken over from EU law; for example, those linked to vehicle admission/authorisation (consisting of verifications, declarations, certifications etc.). It could e.g. be analysed, in coordination with sector organisations, whether the different levels related to vehicle admission (i.e. ‘interoperability constituents’ (IC) level, subsystem-level and vehicle-level) are actually useful or could be reduced.
6. The technical provisions of COTIF should be attuned to the possible accession of additional regional economic integration organisations which meet the conditions of Article 38 of COTIF. Provided the relevant conditions are met, these organisations should be able to enjoy similar legal relations with COTIF as the EU currently enjoys. In this context, the feasibility of the following should be analysed:
  - The current symmetry between EU law and ATMF as set out in Article 3a of ATMF.
  - The requirement for a 2-column layout in UTPs as set out in Article 8 § 9 of APTU.
7. Any feasibility analysis or proposal for modification of these provisions should be accompanied by specific alternative proposals which ensure that no functionality will be lost, and by an analysis of the advantages and disadvantages of the proposed modifications.
8. The technical provisions should consist of:
  - Prescriptive rules to ensure interoperability, but limited in scope to what is essential in terms of the aims of the Convention and the scope of its Appendices. This is a well-established principle of the existing UTPs.
  - Where relevant, recommended practices for efficient and harmonised solutions whose application is voluntary. Examples are Appendix C to the UTP/TSI for freight wagons and the draft provisions for interchangeable passenger coaches.

## Developments related to the APTU UR

For railway material, the APTU UR specify the procedure for the validation of technical standards and the adoption of Uniform Technical Prescriptions. For vehicles, the ATMF UR specify the procedure for admission to circulation or use in international traffic. On this basis, Member States mutually accept certificates and other evidence of compliance related to vehicles. COTIF rules are based on and are compatible with the European Union railway acquis.

As of 1 January 2022, there were fourteen UTPs in force. Six concern general provisions, relating, for example, to assessment procedures, definition of subsystems and the qualification of assessing entities. Eight UTPs lay down requirements related to vehicles, infrastructure, telematics applications, train composition and route compatibility checks.

UTP abbreviation	Subject	Date of entry into force of latest version
UTP GEN-A	Essential requirements	1.12.2017
UTP GEN-B	Subsystems	1.6.2019
UTP GEN-C	Technical file	1.12.2017
UTP GEN-D	Assessment procedures (modules)	1.10.2012
UTP GEN-E	Assessing entity- qualifications and independence	1.12.2011
UTP GEN-G	Common safety method on risk evaluation and assessment (CSM RA)	1.12.2016
UTP WAG	Freight wagons	1.1.2022
UTP LOC&PAS	Locomotives and passenger rolling stock	1.1.2022
UTP NOI	Rolling stock noise	1.4.2021
UTP MARKING	Vehicle marking	1.4.2021
UTP PRM	Accessibility for persons with disabilities and persons with reduced mobility	1.1.2022
UTP TAF	Telematics applications for freight services	1.6.2020
UTP TCRC	Train composition and route compatibility checks	1.1.2022
UTP INF	Infrastructure	1.1.2022

The European Union is revising several existing TSIs, for example to define digital automatic couplers and derailment detection devices and to facilitate multimodal transport. These developments may also result in proposals to the Committee of Technical Experts to update the OTIF UTPs accordingly. This will probably be in 2023.

## Joint Coordinating Group of Experts

In recent years, the compatibility and consistency of provisions under the ATMF UR and APTU UR and the regulations concerning the transport of dangerous goods (RID, Appendix C to COTIF) have been subject to analysis. For this purpose, experts in the field of RID and experts in the field of interoperability and safety are cooperating in the Joint Coordinating Group of Experts (JCGE). The objective is to ensure alignment between RID and the technical interoperability provisions, in particular the UTPs and the corresponding TSIs. The JCGE offers a platform for discussion with the focus on:

- Consideration of the need for and alignment of new requirements and standards that take into account innovation and new technologies (i.e. digitalisation, e-documents, telematics applications, derailment prevention and detection and the digital automatic coupler);
- Coordination processes between RID and interoperability and safety rules for reporting accidents/incidents and statistics;
- Common definitions on actors involved in the operation and maintenance of vehicles.

Representatives from Member States as well as sector associations participate in the discussions.

The JCGE cannot itself take binding decisions but may advise the respective Committees to amend the RID or the UTPs.

## Developments related to the ATMF UR

As of 1 January 2022, there were four sets of legal provisions that have their basis in the ATMF UR.

<b>Title</b>	<b>Date of entry into force of latest version</b>
Annex A to ATMF, concerning the rules for certification and auditing of Entities in Charge of Maintenance (ECM)	1.4.2021
Annex B to ATMF, concerning the requirements and procedure for derogations from application of UTP(s) related to a structural or functional subsystem	1.1.2014
Uniform formats of certificates which verify the technical admission of a vehicle or of a type of vehicle according to Article 12 § 1	1.12.2012
Specifications for vehicle registers in accordance with Article 13 of ATMF	1.4.2021

The Committee of Technical Experts will analyse and review Annex B to ATMF in 2022, which may lead to the adoption of changes.

Furthermore, the Committee of Technical Experts will continue to seek possibilities that facilitate the international search and retrieval of vehicle data from the vehicle registers.

## Developments related to the EST UR (Appendix H)

In September 2018, at the 13<sup>th</sup> session of the General Assembly, a new Appendix H to COTIF, further referred to by its acronym, EST UR, was adopted.

The purpose of the EST UR is to provide general safety principles and responsibilities for interoperability, meaning complete trains crossing borders. This type of operation has the potential to improve the efficiency of rail transport hugely by reducing transit times and costs as a result of limiting the number of stops and organisational interfaces. The provisions have to be applied by railway undertakings and infrastructure managers. The provisions are based on and are compatible with the provisions applicable to the rail system of the European Union.

In order to achieve interoperability effectively, in addition to applying the EST UR, states will have to conclude reciprocal access agreements for trains coming from one state to run on the infrastructure in another state, including, for example, licensing, charges and capacity allocation. Entry into force of the EST UR is still pending approval by two-thirds of the OTIF Member States. Once this required approval has been obtained, it will take approximately one year for the provisions to enter into force. More particularly, in order to implement the requirements of the EST UR in a harmonised way, the annexes to be developed will include:

- A Common Safety Method for safety management system requirements to be applied by Safety Certification Authorities when issuing Safety Certificates and by railway undertakings and infrastructure managers when developing, implementing, maintaining and improving their safety management systems;
- A Common Safety Method on monitoring to be applied by railway undertakings and infrastructure managers and Entities in Charge of Maintenance;



- The necessary links to the Common Safety Method on risk evaluation and assessment to be applied by the railway undertakings, infrastructure managers and Entities in Charge of Maintenance when making any technical, operational or organisational change to the railway system;
- A Common Safety Method on supervision to be applied by Supervision Authorities.

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

In 2018, the General Assembly recommended that the Committee of Technical Experts prepare proposals for these Annexes to the EST UR before they enter into force. The proposals could then be adopted by the Committee of Technical Experts without delay after the EST UR enter into force. Similarly to the development of UTPs, the CSMs will be developed on the basis of the best practices offered by European Union legislation. In 2021, the Committee of Technical Experts started developing these Annexes and will continue this work in 2022-2023.

## Compatibility with European Union law

OTIF is involved in the development of TSIs and other EU provisions, which are aligned with COTIF provisions. Firstly, staff from the OTIF Secretariat participate in the working groups of the European Union Agency for Railways (ERA) and in the Railway Interoperability and Safety Committee of the European Commission. Secondly, ERA and the European Commission present relevant developments in EU law at sessions of the OTIF working groups. Thirdly, before finalising legal proposals, ERA, with help of the OTIF Secretariat, consults non-EU OTIF Member States on these proposals and gives them the opportunity to provide feedback. Lastly, non-EU assessing entities and certification bodies are invited to participate in cooperation meetings with their EU peers.

As a result of these different levels of involvement, the non-EU OTIF Member States can remain informed and provide their views on the development of interoperability and safety rules in the EU. This involvement is very important, as many of the EU rules will serve as a basis for the development of technical rules in COTIF.

At the time of writing, 25 of the 43 states that apply the APTU and ATMF UR are also members of the EU. In 2011, the EU acceded to COTIF and bound itself in accordance with the accession agreement. The technical interoperability provisions of COTIF are based on EU law and are compatible with EU law. This compatibility is essential for both non-EU vehicles used in the EU and for EU vehicles used outside the EU.

The EU is establishing a 'Single European Railway Area' (SERA), with the aim effectively to do away with all obstacles to the crossing of borders between the EU Member States. The European Union Agency for Railways (ERA) has been assigned the role of a central authority and it performs centralised functions, with the competence to issue vehicle authorisations and safety certificates to railway undertakings.

In contrast to SERA, COTIF is a treaty between sovereign state parties and is in principle implemented and enforced at national level. COTIF applies to international traffic only. OTIF does not have a central authority. OTIF has a Secretary General, who is assisted by the OTIF Secretariat, but the Secretary General has no role in the implementation of COTIF by the Member States or in the application of COTIF by railway actors.

The differing concepts of the EU rules establishing the SERA and COTIF make it difficult for some EU provisions to be carried over into COTIF. The OTIF Secretariat will continue its intensive coordination with OTIF Member States, with ERA, and with sector organisations, in order to ensure that the interests of both EU and non-EU OTIF Member States and all international railway actors are taken into account.

It should therefore remain equally possible to apply COTIF's technical provisions between OTIF Contracting States which are also members of the EU and their neighbours as between two or more Contracting States which are not members of the EU.

## Monitoring and assessment of the APTU and ATMF Uniform Rules

At its 13<sup>th</sup> session (22-23 June 2021), the Committee of Technical Experts initiated the step by step monitoring and assessment of the implementation of the APTU and ATMF Uniform Rules. As a first step, it would monitor and assess:

1. The level of implementation and application by Contracting States of the provisions incumbent on them as set out in APTU, ATMF UR and their Annexes and UTPs;
2. The scope of application of the provisions, such as the number of vehicles and volume of traffic which rely on APTU and ATMF UR, as a quantitative measure of relevance;
3. The relevance of the rules as perceived by Contracting State officials as a qualitative measure of relevance.

The first point - implementation and application by Contracting States - will focus on provisions laid down in APTU and ATMF UR for which the Contracting State is primarily responsible.

With regard to the second point, as a quantitative measure of relevance, the objective is to create an overview of the number of vehicles registered or used in international traffic on the basis of the APTU and ATMF UR.

With regard to the third point - the perceived relevance of the rules - open questions will be asked to identify the scope for improving the rules or to improve their implementation or application.

As a second step, the implementation of Annexes and UTPs by stakeholders in the operational and technical domain, such as railway undertakings, Entities in Charge of Maintenance, keepers and assessing entities will be monitored and assessed, including the correct application of procedures.

## PROVISIONAL PLANNING

14<sup>th</sup> session of the Committee of Technical Experts  
**June 2022**

46<sup>th</sup> session of the working group Technology  
**June 2022**

5<sup>th</sup> session of the Joint Coordinating Group of Experts  
**September 2022**

47<sup>th</sup> session of the working group Technology  
**September 2022**

48<sup>th</sup> session of the working group Technology  
**November 2022**

15<sup>th</sup> session of the Committee of Technical Experts  
**June 2023**

49<sup>th</sup> session of the working group Technology  
**June 2023**

6<sup>th</sup> session of the Joint Coordinating Group of Experts  
**September 2023**

50<sup>th</sup> session of the working group Technology  
**September 2023**

51<sup>st</sup> session of the working group Technology  
**November 2023**

# ENSURE THAT THE SECRETARIAT FUNCTIONS PROPERLY AND THAT THE MEMBER STATES ARE PROVIDED WITH AN EFFICIENT SERVICE



**Lunesterline Andriamahatahitry**  
*Head of Administration and Finance Department*

The main task of the Administration and Finance Department is to assist the Secretary General and the Organisation's other departments in carrying out their activities by providing administrative and IT support. It is also responsible for preparing and organising the sessions of the General Assembly and the Administrative Committee.

In addition to these activities, the department was given the task of monitoring the implementation of the Luxembourg Protocol.

More recently, temporary projects, such as the renovation of OTIF's headquarters and the temporary relocation of staff during the renovation work, have been added to its list of activities.

The Administration and Finance Department's work programme for the next two years is a continuation of the 2020-2021 work programme in terms of human resources and preparation for the entry into force of the Luxembourg Protocol. In addition, other important issues, such as maintaining dialogue with the Member States and modernising the IT system, will be continued.

In addition, the headquarters renovation project will keep the department very busy during the biennium, and will be an opportunity to rethink working methods, whether it be extending the possibility of teleworking to all staff or implementing an effective and sustainable archiving policy.

## Adapting human resources and controlling the budget

### OBJECTIVE 1 | Open teleworking to all staff

The pilot project on teleworking for translators implemented as of 1 January 2020 was positively assessed in the last quarter of 2020.

Similarly, the extension of teleworking to all Secretariat staff is entirely possible, as demonstrated during the COVID-19 pandemic. Increasing digitalisation and the increasing mastery of the various IT tools available ensures the continuity of services.

The exceptional circumstances resulting from the pandemic have now lasted for more than a year and in view of the renovation of the headquarters and the relocation of staff, the teleworking option remains one of the best options for continuing to ensure that services continue.

Discussions have therefore been underway with representatives of the Staff Association since the last quarter of 2021 to develop a single internal directive applicable to all staff. Extending the possibility of distance working within a structure the size of OTIF requires common rules to maintain the link between the teleworker and the rest of the staff, just like the link between the Secretariat of OTIF and the Member States.

The internal teleworking directive for all staff should be submitted to the Administrative Committee during 2022.

## OBJECTIVE 2 | Implement the results of the human resources study

A study on the human resources requirements and conditions of service of the Secretariat staff was launched in 2021, with two main objectives:

- To audit the conditions of employment (remuneration system, social benefits, career prospects) offered to OTIF staff in order to analyse the strengths and weaknesses of the current benefits and propose appropriate improvements for an organisation of OTIF's size. This audit includes an analysis of the provisions of the Staff Regulations, which need to be adapted to developments in labour law;
- To carry out an audit of the human resources requirements in view of the actual workload, forecast accessions and the new additional tasks that OTIF will take on (entry into force of the Luxembourg Protocol).

This study has been split into two phases, as follows:

- Phase 1: Employment conditions and benefits – concluded in 2021 with report submitted in December
- Phase 2: Human resource requirements and in-depth analysis of the OTIF staff situation – planned for 2022

The report on phase 1 submitted by the selected consultancy firm will be submitted to the Administrative Committee. It should lead at least to the revision of several Articles of the current Staff Regulations and allow the rules to be modernised.

Phase 2 of the study started in December 2021 and will continue in the first half of 2022. The report on phase 2 is expected in the course of the same year and will allow the Administrative Committee to initiate discussions on the possibility of revising the staffing and even the organisational structure of the Secretariat.

Social dialogue with staff representatives will continue in order to foster consensus building in the context of change management.

**OBJECTIVE 3** | Maintain and control the recurrent and capital expenditure budget for the renovation project within the ceilings approved by the 15<sup>th</sup> General Assembly

The 15<sup>th</sup> General Assembly set a maximum annual amount of CHF 4,200,000 for recurrent expenditure for the period 2022-2027. It also set a maximum amount of expenditure of CHF 7,400,000 for the duration of the projects for the renovation of the headquarters and the temporary relocation of staff.

The Administrative Committee will ensure that the Secretariat's annual budgets enable the achievement of the objectives identified in the 2022- 2023 work programme and approved by the Administrative Committee, while complying with the budget ceiling approved by the General Assembly.

With regard to capital expenditure, the Administrative Committee will be regularly informed about the implementation of the renovation project and about any significant changes. A proposal will be submitted to the Committee to adjust certain provisions of the Finance and Accounts Rules to multi-annual project management.

## **Project management for the renovation of the headquarters and temporary relocation of the Secretariat**

The preliminary project phase made good progress in 2021, firstly with the selection of a client assistant to help the project team set up within the Secretariat and secondly, with the completion of two preliminary studies: the first on the diagnosis of asbestos and pollutants in the structure, given the year of construction of the building, and the second on the solidity of the building in the face of seismic risks, which was a compulsory study.

The main objectives for the 2022-2023 period include close cooperation with the general planner in 2022 and the initiation of the loan application procedure with the Swiss Confederation, also in 2022.

## OBJECTIVE 1 | Conclude the contract with the general planner

The task of the general planner will be to refine the project and prepare all the necessary documentation in order to obtain the permit and the loan from the Swiss Confederation on the one hand, and on the other hand to prepare the tender documents to select the company or companies that will carry out the actual renovation work.

Throughout the project, the general planner will ensure that the project is well aligned with OTIF's current and future requirements and will act as a relay with other stakeholders, including OTIF staff.

The aim for 2022 is to conclude the contract with the general planner by January 2022 at the latest so that the application for a building permit can be submitted to the City of Berne in the third quarter of 2022.

## OBJECTIVE 2 | Obtain a property loan from the Swiss Confederation

At its 134<sup>th</sup> session, the Administrative Committee approved mixed funding for the renovation of the headquarters: 20% reserve fund and 80% loan from the Swiss Confederation.

With regard to the loan, the Secretariat approached the Swiss Federal Department of Foreign Affairs in March 2021 to obtain information on the support offered to international organisations by the host State.

The Department of Foreign Affairs has explained the procedure for obtaining such a loan, which must be presented to and approved by the Federal Council of the Swiss Confederation.

As the procedure is quite lengthy, the Secretariat will have to submit the application, together with the preliminary design prepared by the general planner, to the Federal Department of Foreign Affairs in August 2022.

A strategic working group set up at the initiative of FIPOI (Foundation for Buildings for International Organisations) and composed of the representative of the Federal Department of Foreign Affairs, FIPOI experts, the Secretary General and the Head of the Department of Administration and Finance will meet periodically in 2022 and 2023 to discuss the status of the loan.

The Administration and Finance Department will be the main contact point for FIPOI and the Federal Department of Foreign Affairs throughout the process, until the loan is obtained, which is expected to be in 2024.



### OBJECTIVE 3 | Organise the temporary relocation of staff during the renovation work

During the work, which is currently planned to take place in 2023, OTIF staff will have to move to temporary rented offices in order to ensure the continuity of services. It is planned to manage the relocation as a project.

This project includes the removal and relocation of staff to the premises at the end of the renovation work, the removal of some of the objects that the Secretariat wishes to keep in storage warehouses, the search for temporary premises and all the activities necessary to make the temporary offices operational, mainly with regard to IT.

Another challenge of the move will be to manage the archives. The exponential growth, increasing digitalisation and the variety of documents produced by the Secretariat raise the question of both the paper and electronic archiving policy (how long documents are kept, access to this information, including by Member States, etc.) and the classification of documents and the depositary functions of the Secretary General.

The new archive management policy needs to be in place before the temporary relocation of staff during the renovation work, planned for 2023, in order to ensure continuity of access to information during this period when storage space for paper archives will be limited.

## Further preparations for the entry into force of the Luxembourg Protocol

As a reminder, the Luxembourg Protocol will enter into force in the signatory States when the following two conditions have been met:

- The fourth instrument of a state's ratification, acceptance, approval or accession must be deposited. The Rail Protocol has been ratified by Luxembourg, Gabon and Sweden, and the European Union acceded to it in 2009. The Protocol has been signed by Italy, Switzerland, Germany, France, Mozambique, the United Kingdom and most recently in 2021 by Spain.
- The Secretariat (OTIF) has to deposit a certificate with the depositary (UNIDROIT) confirming that the International Registry is fully operational.

In addition, when the Luxembourg Rail Protocol enters into force, the Secretariat of OTIF will become the secretariat of the Supervisory Authority<sup>1</sup>, in accordance with the decision of the 10<sup>th</sup> General Assembly.

In preparation for the entry into force of the Protocol, several documents have already been approved by the Administrative Committee: the draft Statute and draft rules of procedure of the Supervisory Authority.

The draft regulations for the International Registry for International Interests in Mobile Equipment (railway rolling stock) were approved by the Preparatory Commission organised by OTIF on 8 April 2021.

Other documents are under discussion and will be finalised in 2022:

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<sup>1</sup> The composition and role of the Supervisory Authority are described in detail in Article XII of the Luxembourg Protocol to the Convention on International Interests in Mobile Equipment on Matters specific to Railway Rolling Stock.

- A draft agreement between OTIF and the Supervisory Authority on the tasks, rights and obligations of OTIF as the secretariat of the Supervisory Authority. This agreement should be based on the draft Statute and draft rules of procedure of the Supervisory Authority and should include a financial estimate of the costs of the secretariat tasks;
- The draft transfer endorsement for the contract for the establishment and operation of the International Registry of International Interests in Mobile Equipment (railway rolling stock). In 2021, a team consisting of the Chairman of the Preparatory Commission, the Secretary General and the Deputy Secretary General of UNIDROIT, the Secretary General and the Head of the Administration and Finance Department of OTIF, and the Director of the Rail Working Group was appointed to negotiate a transfer endorsement to the contract signed in 2014 between the Preparatory Commission and Regulis SA.

In 2022, the OTIF Secretariat will continue to organise the Preparatory Commission meetings jointly with UNIDROIT and to promote the Protocol by participating in information meetings.

As soon as the Protocol has entered into force, OTIF will appoint three Member States to represent the Organisation in the Supervisory Authority. The Secretariat will be responsible for preparing the first meeting of the Supervisory Authority.

# THE PROVISION OF ON-TIME HIGH-QUALITY LANGUAGE SERVICES



**Joana Meenken**  
*Head of Translation Department*

## Deliver high quality translations on time

The particularity of OTIF as an intergovernmental organisation with three working languages and areas of work with very different linguistic and terminological features places high demands on the Translation Department. As a cross-cutting department that provides services for all the other departments within OTIF and all the organs of COTIF, the translators have to satisfy a diverse range of requirements: firstly, all the deadlines set down in COTIF, the Rules of Procedure and the internal planning have to be met, and secondly, translations and interpretation at the meetings of OTIF's organs have to satisfy the linguistic demands of diplomatic, legal, technical and financial usage. Achieving this core task of the Translation Department, which accounts for a good 90% of the work, will - as in the past - also be the main priority over the next two years, and all other tasks will be subordinate to this. Nevertheless, in the spirit of linguistic consistency, the two ongoing projects started in 2020 will consequently also be continued. In addition, as explained below, the possible introduction of gender-neutral language in OTIF's (legal) texts will be another busy topic for the translators.

## Ensure good linguistic quality of all

### OTIF texts

#### Set up a common terminology database for the OTIF Secretariat

This project was started in 2020 (see 2020-2021 Work Programme) and is systematically managed mainly by a staff member (terminologist) in the Translation Department, depending on the time she has available, so the terminology database is still an internal project of the Translation Department and has not yet been shared with the Secretariat.

With the rapid technological developments over the last two years since the project began, there are now also new opportunities for “sharing” the database. In addition to the already well-known MultiTerm Workflow solution, the most promising tool at the moment is *Trados Live Terminology*, a cloud-based solution that allows MultiTerm<sup>2</sup> databases to be uploaded to the cloud and shared with external users in just a few steps. One certain advantage of such a cloud-based solution would be that the termbase could also easily be made accessible to the freelance translators who occasionally work for OTIF (see also the subchapter on external cooperation).

It is planned to monitor developments around MultiTerm Workflow and Trados Live Terminology and to review the tools for their advantages and disadvantages (compared with each other and, if necessary, with other solutions). Data security also plays a very important role of course, especially when you consider that an organisation’s data, including its own terminology, is an asset that should not be underestimated.

In terms of content, both the general terminology database and the specialised RID termbase, which was set up in 2020, will be permanently maintained and expanded over the next two years, as the basic prerequisite for publishing the termbases within the Secretariat is that they are correct in terms of content and form.

Owing to the limited staff resources in the Translation Department, which have already been mentioned several times, and our many other priorities, it is not possible to identify a specific timetable, but as before, information on the progress of the project and, if necessary, on any new developments will always be provided within the framework of the Annual Report.

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<sup>2</sup> For more information on *Trados Studio and MultiTerm*, the translation and terminology programmes used by the Translation Department since 2012, see the 2020-2021 Work Programme.

## Develop internal OTIF editorial rules

Work will also continue over the next two years on this permanent project launched in 2020 (see 2020-2021 Work Programme ). The basic framework of the project is in place.

As it is not expected that the entire project will be completed very soon, the Translation Department will initially focus on a specific chapter dedicated to the use of gender-neutral language in OTIF. The subject of gender-neutral language was included as a priority topic in the Working Group of Legal Experts' three-year work programme in spring 2021 and was confirmed as such by its successor body (ad hoc Committee on Legal Affairs and International Cooperation) in November 2021. (See above)

It is not yet clear whether and in what form the topic will be pursued for OTIF's legal texts, but in order to be prepared, a chapter on gender-neutral language in OTIF's non-legal texts will be drafted as part of the internal "editorial guidelines". If necessary, this can then also be completed accordingly and published as a separate chapter (within the Secretariat).

## Future format of meetings and interpreting

The push towards digitalisation over the last two years by the COVID-Pandemic cannot be reversed, nor would such a step be desirable. On the contrary, the new technological possibilities offer OTIF and its members clear advantages in terms of organising their meetings.

However, as not all participants are yet fully accustomed to this new way of working and do not yet have the necessary high quality equipment, the Translation Department, in close cooperation with the other departments and with OTIF's external interpreters, and taking into account developments in the field, must set the criteria for both full multilingual video-conferences and hybrid multilingual meetings, ensuring the best possible working conditions for the interpreters in each case.

In this context, the market for video-conferencing platforms will be constantly monitored over the next two years and it will be examined which tools are used in multilingual conferences by other organisations and the private sector. At the same time, taking into account the fact that video-conferences are considerably more demanding than physical meetings, especially for the interpreters, a framework for such digital events (including maximum duration, quality requirements in terms of sound/video) needs to be defined.

## External cooperation

As a result of the Translation Department's steadily increasing workload over the last few years (see also 2019 and 2020 Annual Reports), contracts with two external translators were concluded in May 2021, initially for a period of one year. The aim of these contracts is to create a flexible but stable form of cooperation under constant conditions and to enable OTIF to react at short notice to translation bottlenecks for individual languages.

It is planned to extend this cooperation for at least another year. The reasons for this, as well as the pros and cons of this flexible solution, are listed below:

- The feedback received from the authors of texts and the Department's own experience with the external translators is consistently positive;
- It is advisable to extend the cooperation for at least one more "normal" year without a General Assembly (perhaps even two years would be better) to see how the workload develops and whether this flexible solution is sufficient in the long run. With the expected entry into force of the Luxembourg Protocol and the possible start of the Legal Department's database project, OTIF's translators will in future be faced with considerably more work in the medium and long term, so it might be that this flexible cooperation solution will not be sufficient to meet requirements in the long term or will become too costly. In any case, calculations must be made in assessing this and the costs must be compared with the cost of permanent extra staff in the Translation Department;
- Translation requirements vary considerably from one department to another and, in extreme cases, can quadruple from one year to the next for a meeting of a particular organ, so flexibility is an absolute must;
- However, the case of longer absences (illness, maternity, other unforeseeable reasons) must also be considered and covered.

# INCREASE AWARENESS OF OTIF



**Sarah Pujol**  
*Communication Officer*

**O**TIF is an organisation with old origins; its present is dynamic and it has a bright future.

The task of the OTIF Secretariat's Communication Department, among other things, is to ensure that the Organisation's role is clear and to increase awareness of it.

## Guidelines and framework for action

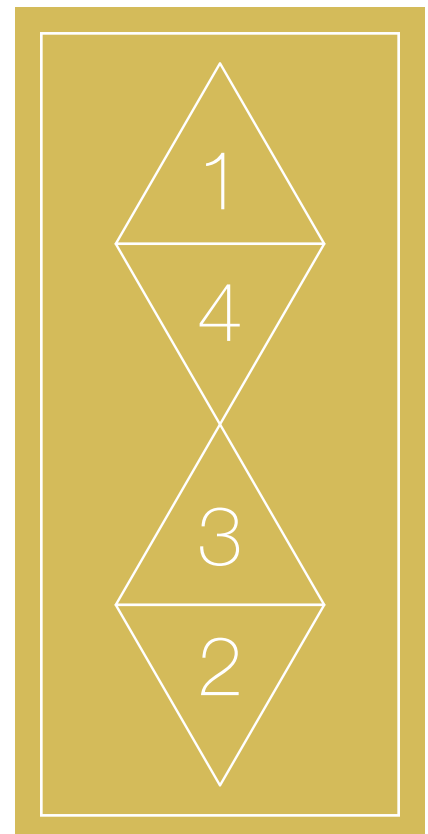
Four intangible principles guide the OTIF Secretariat's Communication Department. These principles are the guidelines for OTIF's communication plan:

- Ensure the consistency of messages and publications in terms of both content and presentation
- Maintain a modern and contemporary image
- Ensure the frequency of messages
- Measure, evaluate and improve the communication tools.

## ACTIONS FOR COMMUNICATION DEPARTMENT

- △ **1. ATTRACTIVENESS**  
A modern image: website, videos, revamped publication design
- ▽ **4. MONITORING**  
Measuring, evaluating, improving: monitoring tools, surveys, website
- △ **3. FREQUENCY**  
Frequency of messages: maintain the rhythm of publications
- ▽ **2. CONSISTENCY**  
Consistency of the image, messages and publications

## FOUR PRINCIPLES OF COMMUNICATION





## Digital tools in motion

Activity on social networks, development of the website and the creation and dissemination of videos are all ways of ensuring the Organisation's digital presence. In 2022 and 2023, the Communication Department will continue to produce and disseminate videos on the Internet. In particular, the Organisation will release its videos on the social networks.

OTIF will be present on the social networks and primarily on LinkedIn and Twitter. While remaining neutral, it will share posts and "tweets" from other sources, in line with its status as an intergovernmental organisation.

As a cornerstone of the digital strategy, the Organisation's website has already been upgraded in 2020-2021 to make it easier to navigate. Nevertheless, following an external survey and internal consultation, the website will continue to be developed and will change over time.

# LIST OF ABBREVIATIONS

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**ADN**

European Agreement concerning the International Carriage of Dangerous Goods by Inland Waterways

**ADR**

Agreement concerning the International Carriage of Dangerous Goods by Road

**APTU**

Uniform Rules concerning the Validation of Technical Standards and the Adoption of Uniform Technical Prescriptions applicable to Railway Material intended to be used in International Traffic

**ATMF**

Uniform Rules concerning the Technical Admission of Railway Material used in International Traffic

**CIM**

Uniform Rules concerning the Contract of International Carriage of Goods by Rail

**CIV**

Uniform Rules concerning the Contract of International Carriage of Passengers by Rail

**COTIF**

Convention concerning International Carriage by Rail

**CUV**

Uniform Rules concerning Contract of Use of Vehicles in International Rail Traffic

**ECM**

Entity in Charge of Maintenance

**e-FIT**

electronic freight transport information

**ERA**

European Union Agency for Railways

**EST**

Uniform Rules concerning the safe operation of trains in international traffic

**EU**

European Union

**GCC**

Gulf Cooperation Council

**IC**

Interoperability constituents

**IT**

Information Technologies

**JCGE**

Joint Coordinating Group of Experts

**OSJD**

Organisation for Cooperation between Railways

**OTIF**

Intergovernmental Organisation for International Carriage by Rail

**RID**

Regulation concerning the International Carriage of Dangerous Goods by Rail

**RISC**

Railway Interoperability and Safety Committee

**SERA**

Single European Railway Area

**SMGS**

Agreement concerning International Freight Traffic by Rail (OSJD)

**TSI**

Technical Specification for Interoperability

**UIC**

International Union of Railways

**UN**

United Nations

**UNECE**

United Nations Economic Commission for Europe

**UNIDROIT**

International Institute for the Unification of Private Law

**UR**

Uniform Rules

**UTP**

Uniform Technical Prescriptions

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