



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

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

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## **STRATEGY AND WORK PROGRAMME 2016-2017**

**FOR THE COMMITTEE OF TECHNICAL EXPERTS AND OTIF'S RAILWAY  
TECHNOLOGY DEPARTMENT**

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Discussion document

## **1. INTRODUCTION**

Since their inception, the technical provisions of COTIF have been equivalent to those of the EU. The equivalence between EU and OTIF rules ensures legal compatibility between the provisions in the EU and those set out in COTIF. The provisions are modern and form a solid basis for developments and innovations in the rail sector. Technological and scientific progress, as well as return of experience on their application, may require the technical regulations to be reviewed and updated. Coordinating these activities is the core business of the OTIF Secretariat's technical department.

## **2. WORKING WITHIN A COORDINATION FRAMEWORK**

As a working principle and in order to avoid duplication of work, rules are developed at EU level. In order to be able to influence developments in the EU, several practical working methods have been implemented.

The OTIF standing working group technology (WG TECH) meets three times a year and provides an international platform where railway regulatory developments are discussed between government officials, sector representatives and (international) authorities. In particular for non-EU States the WG TECH meetings are an excellent opportunity to discuss matters with representatives from the European Commission's Directorate General for mobility and transport (DG MOVE) and the European Railway Agency (ERA) in order to exchange views. At each session, the OTIF Secretariat informs WG TECH of developments since the last session, the meetings it has participated in and, where relevant, the position it took. The OTIF Secretariat makes the minutes of each session public on the OTIF website.

In October 2013 administrative arrangements were agreed between ERA, the European Commission's DG MOVE and the OTIF Secretariat. These arrangements enable effective coordination between the three parties and in particular, make it possible to put forward the interests of non-EU States during the ERA working groups. Some practical examples resulting from these arrangements are:

OTIF experts are invited to take part in meetings of the European Railway Agency to represent the interests of all non-EU OTIF Contracting States and to ensure that developments which are related to equivalent EU/COTIF provisions are compatible with COTIF.

ERA regularly updates WG TECH on the work that is being carried out by ERA and which is relevant to OTIF.

DG MOVE regularly updates WG TECH on developments in the EU railway legislation, such as, for example, developments in the fourth railway package.

With the assistance of the OTIF Secretariat, ERA consults the non-EU OTIF Member States on draft new, amended or revised EU rules, such as TSI revisions, before it sends its recommendations to DG MOVE. This allows the non-EU Member States of OTIF to analyse and comment on the work of ERA.

Joint ERA/OTIF registers for VKM, for ECM and in future also for CSM assessment bodies have been established.

### 3. GENERAL ROADMAP FOR THE DEVELOPMENT OF TECHNICAL REGULATIONS

Today, the existing technical regulations of COTIF mainly deal with the admission of vehicles and only to a very limited extent with operational and safety procedures<sup>1</sup>. The OTIF Secretariat is of the opinion<sup>2</sup> that the Member States of OTIF would be best served if COTIF were developed further so that it also provides a basis for interoperability upon which neighbouring States can rely to operate trains across their borders.

It would be unrealistic to assume that all the parameters required for full interoperability could be specified under COTIF in the near future, but a good start has been made in recent years by specifying the technical parameters in OTIF's Uniform Technical Prescriptions (UTPs). A full set of UTPs is now available at OTIF level for freight wagons, locomotives and passenger rolling stock, as well as the procedures for approving them.

The ambitions concerning interoperability do not in any way limit or make less important the aim of providing provisions to facilitate the exchange of vehicles in international traffic.

With a view to this, it is anticipated that the next steps will include:

Facilitating the exchange of (passenger) vehicles in international traffic, by ensuring that a set of harmonised **inter-vehicle requirements for passenger coaches** is available at international level. After this development was initiated at OTIF level, it is now the subject of more detailed specification by an ERA working party, which will propose amendments to the LOC&PAS TSI<sup>3</sup>. In parallel, WG TECH will prepare equivalent amendments to be proposed for adoption by the CTE.

Promoting the use of harmonised systems for the exchange of information in international traffic, such as registers, databases and telematic applications. This will in particular concern the **transposition of the TAF TSI** and supporting cooperation between ERA and OSJD in the field of electronic data exchange.

Analysing the developments related to the **EU's fourth railway package and the consequences for equivalence with COTIF**. In particular the fourth railway package will bring about some changes that may require alignment in COTIF. For example, some new terminology and new competences for ERA should be correctly reflected in ATMF.

Clarifying and, where necessary, harmonising operational responsibilities that are needed for international traffic, with a view to **facilitating interoperability**. Part of this activity can be initiated under APTU and ATMF. However, the OTIF Secretariat thinks that further reaching interoperability specifications would best be set out in a new Appendix to COTIF.

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<sup>1</sup> The provisions concerning Entities in Charge of Maintenance (ECM) are an example of safety related provisions. Appendix I to the UTP WAG is another example, transposing provisions relating to train composition and the use of wagons from the EU Operations and traffic management TSI.

<sup>2</sup> Document 6.3 prepared for the 9<sup>th</sup> session of the CTE sets out the initial views of the OTIF Secretariat concerning the development of interoperability rules within COTIF.

<sup>3</sup> TSI stands for Technical Specification for Interoperability.

## 4. REVISIONS AND AMENDMENTS TO EXISTING RULES

As set out in this document, most revisions of and amendments to technical and safety provisions are first drafted by ERA working groups, then adopted at EU level by the Commission. Similar amendments and revision are then subsequently reviewed by WG TECH and adopted by the CTE at OTIF level in order to preserve equivalence between EU and COTIF provisions.

In accordance with these principles it is important for OTIF to be involved early in the developments at EU level. For this reason the OTIF Secretariat, in coordination with WG TECH, is working closely with ERA on subjects which are of mutual interest, such as:

The possible extension of the scope of the ECM<sup>4</sup> regulation so as to cover not only the certification of ECMs for freight wagons, but also ECMs for other types of vehicles. The OTIF Secretariat in particular cooperates with ERA by providing elements related to the situation of the ECM rules in the scope of COTIF, so that ERA can include this in its impact assessment.

Revisions to the Operations and traffic management (OPE) TSI. In particular, the OTIF Secretariat intends to contribute to discussions related to the use of mechanical derailment detection devices in freight trains. These contributions will be made in coordination with the OTIF RID<sup>5</sup> department, taking into account the discussions of the RID working group on the detection of derailments.

WAG TSI amendments. In particular ERA has been working on closing the open points. In addition it is anticipated that ERA will work on specifications relating to derailment detection devices for freight wagons, taking into account the conclusions of the RID working group on the subject.

LOC&PAS TSI amendments. At time of writing, ERA has submitted two recommendations to the European Commission to amend the LOC&PAS TSI, one mainly to close open points and the other to specify provisions allowing certain types of vehicles to be subject to unique authorisation. These provisions are of particular interest to OTIF, as they form the basis for allowing the “free circulation” of vehicles in the meaning of Article 6 § 3 ATMF.

ERA has been working on the rationalisation of vehicle related registers (RVRR) since 2013 in accordance with a mandate on the matter. It is likely<sup>6</sup> that the fourth railway package will set the legal basis for the creation of a European vehicle register, to replace each EU State’s national vehicle register. The OTIF Secretariat will continue to work with ERA and DG MOVE in order to ensure that these EU developments will be compatible with the National Vehicle Register specifications applicable at OTIF level.

The ERA ad-hoc task force on the sectoral scheme for accreditation of NoBos under Directive 2008/57/EC established non-binding provisions that form best practice guidelines for the accreditation of Notified Bodies at EU level. The scheme includes references to EN standards, particularly in order to ascertain the competence and independence of Notified Bodies. The scheme may become relevant to OTIF too, as the OTIF assessing entities in accordance with Article 5 ATMF have competences which are partly similar to those of EU Notified Bodies.

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<sup>4</sup> ECM stands for Entity in Charge of Maintenance and the provisions concerning the certification of freight wagon ECMs are set out at OTIF level in Annex A to ATMF and at EU level in Commission Regulation (EU) No 445/2011.

<sup>5</sup> Regulation concerning the International Carriage of Dangerous Goods by Rail (RID - Appendix C to the Convention)

<sup>6</sup> Based on both publicly available draft legal instruments as well as on presentations by the Commission to WG TECH.

## **5. KEEPING A WATCH ON THE APPLICATION OF TECHNICAL PROVISIONS**

The quantity of technical regulations developed under APTU and ATMF is already large and is still growing. Dealing with the quantity and complexity of all the rules may be challenging for the OTIF Contracting States. At the same time, correct implementation is becoming increasingly important. If the OTIF regulations are not applied correctly, this may result in disruptions to international traffic, as illustrated by freight wagons which were blocked at borders in June 2013 because they had no valid Entity in Charge of Maintenance (ECM) assigned to them. The OTIF Secretariat would like to improve further its understanding of how the regulations are implemented in the Contracting States. To this end, the technical department will work together with the legal department to consult the OTIF Member States in order to understand how COTIF is applied. The focus will be on non-EU Contracting States, as the EU has its internal processes in this respect.

The OTIF Secretariat has adopted a participative approach, where close cooperation with the Member States and other organisations working in the field of international rail traffic is sought.

The various working groups and sessions of the Committee of Technical Experts are without doubt the most important in terms of direct contact between the OTIF Secretariat and its Member States. In these meetings, Member State representatives can express their views, become more familiar with what is happening and actively contribute to the development of COTIF.

Organising and taking part in seminars and workshops in our Member States is also a good way for the staff of the Secretariat to establish contacts with those who work with COTIF.

In addition to its dissemination activities, in 2015 the OTIF Secretariat started an intensive in-house training programme intended for selected members of staff from the competent authorities that apply the technical Appendices to COTIF. Interns take part in the everyday activities of OTIF's technical department and are given explanations and specific training on the technical Appendices to COTIF. In return, this can help the staff of the Secretariat to achieve a better understanding of how COTIF is applied in the intern's State. At the end of the training, he is then able to apply his newly acquired knowledge, provide training himself and disseminate what he has learnt at national level.

## **6. INTERDISCIPLINARY COORDINATION**

Equally important as preserving equivalence between EU and OTIF provisions on technical and safety matters is ensuring that there is no inconsistency between these provisions and other branches of (international) law. In recent years, the consistency between RID and general railway provisions has particularly been analysed.

Initially, a study on the "Analysis of the interactions and coherence between railway and dangerous goods legislation in the European union" carried out for the European Commission was completed in March 2013. Then a joint paper prepared by the OTIF Secretariat and the European Commission in December 2014, entitled "Interaction between RID and ATMF, improving consistency between COTIF Appendices C and G", was communicated to OTIF's CTE and RID Committee of Experts and to the EU's RISC and TDG Committees. Now, a preliminary analysis of possible inconsistencies and/or overlaps is being carried out by a working group established jointly by the European Commission and the OTIF Secretariat. The working group is composed of experts selected from the committees mentioned above. A policy discussion will then take place on the basis of the results of this working group.

The working group met for the first time on 3 and 4 February 2016 in Bern and its second meeting will take place on 9 and 10 June 2016, directly after the 9<sup>th</sup> session of the CTE.

## **7. PROVISIONAL TIMETABLE**

After the CTE 9, two more sessions of WG TECH are planned in 2016, the first on 7 and 8 September in Lille hosted by ERA, and the second on 16 and 17 November at the OTIF premises. One more WG TECH meeting is planned for 2017, before the 10<sup>th</sup> session of the CTE.

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