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ORGANISATION INTERGOUVERNEMENTALE POUR LES TRANSPORTS INTERNATIONAUX FERROVIAIRES

ZWISCHENSTAATLICHE ORGANISATION FÜR DEN INTERNATIONALEN EISENBAHNVERKEHR

INTERGOVERNMENTAL ORGANISATION FOR INTERNATIONAL CARRIAGE BY RAIL

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OTIF:

2013 Annual Report

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INTRODUCTION

This first annual report brings to an end a year which has seen a lot of work and many challenges for the Organisation. This report, with a new format, is based on the strategic priorities approved at the 121st session of the Administrative Committee. These priorities enable us to identify specific areas of work which will enable the Organisation to prove its added value in terms of developing international rail transport.



François Davenne Secretary general

2013 has enabled me to assess OTIF's potential and to appreciate the professionalism of its staff. These assets are recognised by practitioners to whom the Organisation provides simple and effective tools to facilitate rail transport.

Without this expertise and commitment, it would not have been possible to put our priorities into effect.

Nevertheless, it will still be necessary to broaden awareness of the Organisation beyond the limited circle of transport specialists and to ensure that OTIF is recognised behind the widely used tools, such as the universal contract of use, the consignment note, the Regulation concerning the International Carriage of Dangerous Goods by Rail (RID), etc.

This strategy to affirm OTIF in its role is broken down into 12 main objectives, which will punctuate this report:

AXIS 1: 6 Priorities to develop OTIF's legislation

- 1. Develop a working relationship with the European Commission and the European Railway Agency (ERA), on the one hand, and the Organization for Railways Cooperation (OSJD) on the other, through the implementation of framework agreements.
- 2. Intensify our exchanges with our Member States that are not members of the European Union (EU), in order to build up a knowledge base and to develop actions for training.
- 3. Establish the participation of experts from our Member States in the working groups of our preferred partners (ERA and OSJD) on the basis of the definition of common positions.
- 4. Make a central contribution to the definition of unified law in the field of freight transport and to the facilitation of international traffic.
- 5. Resolve issues of legal liability opened up by the recent developments in European legislation.



6. Improve the compatibility of the RID rules with the technical approach of the TSI as regards issues of interoperability.

AXIS 2: Broaden the area in which COTIF is applied

- 7. Extend the application of COTIF 1999 to all the European Union countries and obtain the lifting of all the reservations concerning application.
- 8. Extend the application of COTIF to the Gulf States and central Asia.
- 9. Develop regular working relations with the UN Economic and Social Commission for Asia and the Pacific (UNESCAP).

AXIS 3: Give the management of OTIF new impetus

- 10. Carry out an audit and implement its recommendations.
- 11. Stabilise the Organisation's budget.
- 12. Increase the attractiveness and degree of awareness of OTIF.



1. DEVELOPMENT OF OTIF

Promotion of COTIF 1999

Objective 7: Extend the application of COTIF 1999 to all the European Union countries and obtain the lifting of all the reservations concerning application.

Among the areas of activity of the legal service, the Depositary role has occupied a major place in terms of dealing with documents concerning the withdrawal of declarations not to apply Appendices E, F and G which were made by the OTIF Member States that are not members of the EU.

The legal service focused its efforts on those Member States that have not yet acceded to COTIF 1999, particularly Italy, by assisting them in dealing with outstanding legal issues so that their accession can take place as soon as possible. The legal service also continued to monitor the status of declarations made by the EU Member States, the aim being to help them withdraw these declarations quickly.

The EU in the organs of OTIF

Objective 1: Develop a working relationship with the Commission and ERA, on the one hand, and OSJD on the other, through the implementation of framework agreements.

When the European Union acceded to COTIF on 23 June 2011, a few matters of principle still had to be resolved for the coordination of work between the various technical bodies of OTIF and the European Commission, and in particular for the clarification of the European Union's voting rights in OTIF's Committee of Technical Experts and RID Committee of Experts.

Since the Committee of Technical Experts was set up under the new COTIF, and since the European Union's accession to COTIF, several sessions have been held at which there have been different interpretations as to how the quorum for the meetings is to be determined, not just so that they can be held with the required quorum, but also in order to establish which Member States that are present or represented were able to vote on matters put to the vote and to make a decision valid or not.

In an exchange of letters between the Secretary General of OTIF and the European Commission dated 25 September 2013 and 11 October 2013, a common interpretation of the provisions of COTIF has been agreed, which enables autonomous decision-making by OTIF's organs and the coordination procedure inherent in the European Union to be observed. This arrangement was implemented without delay.



Extend the geographical reach of OTIF

Objective 8: Extend the application of COTIF to the Gulf States and central Asia.

At the end of 2013, OTIF had 49 Member States. Pakistan has been a new member of OTIF since 1 September 2013.

In accordance with Article 42 § 1 of COTIF, the Government of Pakistan has declared that for the time being, Pakistan will only apply Appendix B to the Convention, i.e. the Uniform Rules Concerning the Contract of International Carriage of Goods by Rail (CIM).

Throughout 2013, OTIF and Azerbaijan were in frequent contact. Since September 2013, Azerbaijan has started preparing its national procedures to accede to COTIF. The Ministry of Transport, the main authority concerned in the accession, has already resolved the associated political issues with the country's various bodies. In this regard, and at its request, in 2014 we will also organise a workshop in Baku in order to introduce and explain the COTIF regulations to the authorities and railway companies of this future Member State.

OTIF's relations with the Gulf Cooperation Council (GCC) are improving and becoming more successful. In fact, in the second half of 2013, the steering committee of this intergovernmental organisation, which brings together six States, namely Qatar, the United Arab Emirates, Bahrain, Saudi Arabia, Oman and Kuwait, approved the principle of an MoU between GCC and OTIF, which should make it possible to define a road map for the accession of the GCC States.

Finally, to try to extend the scope of application of COTIF Asian countries, the Secretariat organised a meeting in Bern with the United Nations Economic and Social Commission for Asia and the Pacific (UNESCAP), and it will continue to have contacts with this organisation, whose expertise has a great influence in its member countries when it comes to determining which of the two systems of railway law suits them better.



2. IMPROVE THE REGULATION OF CONTRACTS OF CARRIAGE

Be aware of and assist in implementation of the regulations



Objective 2: Intensify our exchanges with our Member States that are not members of the EU, in order to build up a knowledge base and to develop actions for training.

Carlos del Olmo Morand Head of the legal service

The legal service was involved in almost all the Organisation's areas of activity, including the provision of advice to other departments in the OTIF Secretariat and representing the Organisation externally on many occasions, either as the legal service *per se* or on behalf of the Secretary General. The legal service also developed closer cooperation with the railway technology service and the dangerous goods service.

It has also now started to get involved in work on customs issues and rail facilitation.

Develop the regulations

Objective 5: Resolve issues of legal liability opened up by the recent developments in European legislation.

In 2013, the legal service was actively involved in the revision of COTIF and the Uniform Rules (UR) concerning the CIV and CIM contracts of carriage of passengers and freight in international traffic, contracts of use of vehicles (CUV) and the contract of use of railway infrastructure (CUI).

CIM

The main objective of the revision of the CIM UR will be to simplify use of the electronic consignment note in international rail traffic. It has in fact emerged that the principle of functional equivalence currently contained in the CIM UR was holding back implementation of the electronic consignment note at operational level, particularly as a result of the requirements of national law with regard to electronic signatures. The International Rail Transport Committee (CIT) has therefore formed a group of experts, which has met regularly since 2011. OTIF is actively involved in the work of this group of experts, with the



prime objective of developing a comprehensive legal framework in the CIM UR which, in addition, will aim to give priority to use of the electronic consignment note and accompanying documents over the paper versions.

CIV

In contrast to the problems encountered with the electronic consignment note for freight, it does not seem absolutely necessary to amend the CIV UR at the Revision Committee in June 2014. In fact, the CIV UR have largely been taken over by the European Union into an annex to Regulation (EC) No. 1371/2007 of the European Parliament and of the Council on passengers' rights and obligations (PRR). In 2013, OTIF organised a meeting with DG MOVE to carry out a preliminary analysis of the legal nature of various provisions in the PRR and CIV. It was concluded that a revision of the CIV UR, coordinated with the development of the PRR, could take place in 2015.

CUI

In 2013, the Secretariat carried out a survey among the Member States and international organisations concerned to establish whether the problems in applying the CUI UR could perhaps be resolved if this Appendix were to be revised. None of the Member States that apply the CUI UR reported any problems.

Consultations with the sector nevertheless revealed that the scope of application of CUI lacks clarity. As a result of this, OTIF should set up an ad hoc working group to resolve this issue in partnership with CIT, CER and the organisations that represent infrastructure managers.

CUV

As regards the CUV UR an OTIF working group was set up in 2013 to examine amendments to incorporate in the contracts of use of wagons in international rail traffic the changes to the railway undertakings' and keepers' systems of liability brought about by the creation of the function of Entities in Charge of Maintenance (ECM) in OTIF law by Article 15 of the Uniform Rules concerning the technical admission of railway equipment (ATMF UR) and Annex A to the ATMF UR of 1 May 2012 on the certification and auditing of ECMs. This work will be continued in 2014 and should result in clarification of the law, which will be of benefit to the development of rail freight. It will also lead to amendments to the CUV UR at the Revision Committee in June 2014.

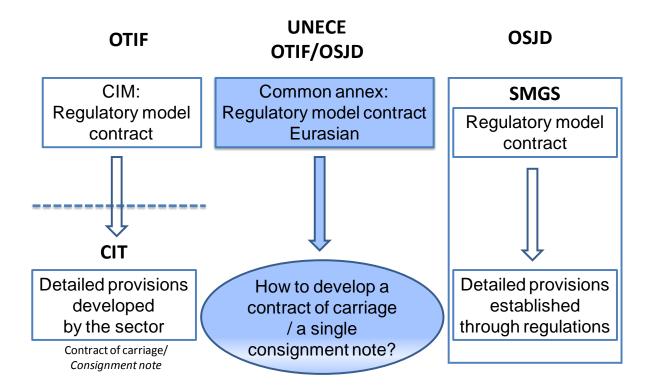


Develop unified Eurasian law

Contracts of carriage of goods

The signature on 26 February 2013 by 37 UNECE countries of the joint declaration on the promotion of rail transport between Europe and Asia and of the activities carried out to this end has breathed new life into the UNECE project on "Unified Euro-Asian Railway Law". In accordance with this declaration and in order to facilitate the continuation of work relating to the harmonisation of the carriage of freight by rail in Eurasia, in 2013 OTIF submitted its analysis and a proposal on the general legal framework to be put in place in this regard to the group of experts set up for this purpose by the UNECE under the chairmanship of the Russian Federation.

Rather than creating law overarching the two legal regimes of the CIM UR and SMGS, or creating autonomous law, OTIF advocates and will defend the establishment of an interface regime between the CIM UR and SMGS, with a common consignment note and a common liability regime, which could either apply to certain high-performance corridors, or simply if the parties to the contract of carriage so decide, when the goods consignments pass through the sphere of application of the CIM UR and SMGS.



A working document along these lines was proposed for the discussion at the group of experts on 19 September 2013 at the first meeting of the working group.



With regard to passenger transport

OTIF's legal service plays a consultative role in terms of issues concerning transport between the CIV area and the SMPS area, which is dealt with by OSJD. This is also the case in terms of the law that is currently applied to these transport operations and in terms of specific questions of interpretation related to this and questions raised by the development of SMPS and its harmonisation with CIV.

As the EU Member States also apply (EC) regulation No. 1371/2007 of the European Parliament and of the Council on the rights and obligations of rail passengers (PRR), alongside representatives of the European Commission (DG MOVE), the OTIF Secretariat played an active part in an analysis undertaken by CIT of the provisions of CIV, PRR and SMPS, particularly the liability clauses in each of these regulations. The result of this work will be the publication in 2014 of a guide to the COTIF/CIV–PRR–SMPS liability regimes.



3. IMPROVE INTEROPERABILITY AND SAFETY



Bas Leermakers Head of the rail technology service Objective 1: Develop a working relationship with the Commission and ERA, on the one hand, and OSJD on the other, through the implementation of framework agreements.

The technical section of the OTIF Secretariat can look back on a productive and successful 2013. It succeeded in preparing important documents for adoption in the Committee of Technical Experts (CTE), such as the revised Uniform technical prescriptions (UTP) for freight wagons. For the first time, an OTIF UTP and EU Technical Specifications for Interoperability (TSI) came into force on the same date: 1 January 2014. This was made possible following intensive coordination of activities between ERA and the European Commission on one hand and between OTIF and its non-EU Contracting States on the other.

In 2013 OTIF's relations with important partners were strengthened. A clear landmark was the signature of the Administrative Arrangements between OTIF, ERA and DG MOVE on 24 October 2013. The Secretariat tries to organise some of its meetings outside Berne to facilitate broader participation of local experts. A technical working group (WG TECH) meeting was therefore organised in Istanbul and an ad-hoc safety subgroup meeting was held in Belgrade.

The continuous development of new regulations means that a comprehensive implementation strategy has been defined, as set out in the OTIF work programme. The work is not limited to developing new regulations, but also includes keeping up-to-date the existing regulations so as to maintain equivalence with their EU counterparts by revising the texts and correcting errors.

The increasing number of regulations has also meant that there has to be some work on disseminating information, particularly in order to help the States parties that are not members of the EU to apply the OTIF regulations correctly.



Developments finalised in 2013

The revised UTP for freight wagons

On 12 June 2013 the Committee of Technical Experts adopted revised Uniform Technical Prescriptions for freight wagons (UTP WAG).

According to Article 3a of the Uniform Rules concerning the technical admission of railway material intended for use in international traffic (ATMF), TSIs and UTPs must be fully equivalent for the cross-authorisation of vehicles. This equivalence, within the meaning of ATMF Article 3a, was first achieved for wagons on 1 December 2012 when the UTP WAG:2012, which is equivalent to the EU WAG TSI:2006, entered into force.

In March 2013 the European Commission published the revised WAG TSI, which applies from 1 January 2014. In order to maintain full equivalence between the OTIF and EU regulations, the UTP WAG also had to be revised.

As a result of close cooperation between the European Railway Agency and the European Commission on one hand, and the OTIF Secretariat and non-EU OTIF Member States on the other, revised UTP WAG were prepared. With the entry into force of the revised UTP WAG in January 2014, full equivalence between TSI and UTP was ensured for the foreseeable future.

Full equivalence between the UTP WAG and the WAG TSI permits the crossauthorisation/"admission" of wagons. Wagons not subject to derogations which are constructed according to either the UTP WAG or the WAG TSI and which are equipped with the defined solutions to close the open points relating to network compatibility as set out in section 7.1.2 are admitted in all States parties of OTIF, whether they are EU members or not.

The revised UTP GEN-G common safety methods

The initial version of the UTP GEN-G on Common Safety Methods on Risk Assessment (CSM), has been in force since 1 May 2012. As a reaction to the revision of equivalent rules in the EU, WG TECH agreed to prepare the same amendments for the OTIF regulations. To this end, the OTIF Secretariat was very pleased to accept the offer of ERA's collaboration.

The principles of the risk assessment and risk management processes themselves have not been changed. The adopted modifications ensure the quality of independent assessment work by accreditation and recognition schemes for CSM assessment bodies. The accreditation and recognition scheme has similarities with the scheme for Entity in Charge of Maintenance (ECM) certification bodies.



Consultation on TSIs

In 2013, the EU consulted non-EU OTIF Contracting States on several draft revised TSIs. In this context, OTIF coordinated contacts between the Member States concerned and ERA.

The Secretariat also carried out its own detailed analysis, particularly of the Technical Specifications for Interoperability for telematics applications for freight (TSI TAF), the principles of which have been taken over by ERA.

New developments started in 2013

Defining safety responsibilities in ATMF

The safety subgroup established in 2012 concluded its work in 2013, after which its conclusions were taken over by the CTE. The conclusions and recommendations include clarification of the responsibilities of the authorities in the admission process compared to the responsibilities of the railway undertaking when operating a vehicle, in particular, and in order to maintain the safety level of the rail system. The ad-hoc safety subgroup also recommended:

- **1.** that the UTP WAG be revised, including provisions relating to train composition and the use of wagons;
- **2.** to consider any necessary amendments to ATMF and the Explanatory Report on ATMF;
- **3.** to consider the development of UTP dealing with operations, by analogy with the TSI OPE.

Finally the ad-hoc safety subgroup suggested modifications to ATMF Article 17, in order better to reflect the fact that if a type of wagon which has been legally authorised/admitted for service is not technically compatible with a rail transport undertaking's fleet or operational environment, it may not be possible for this rail transport undertaking to operate this type of wagon.

The work of the ad-hoc safety subgroup paved the way for the preparation of the revision of ATMF. For the purpose of preparing the ATMF revision, at its 20th session WG TECH set up a small subgroup of experts to prepare proposals for the ATMF revision. The ATMF subgroup is continuing its work in 2014. At the end of 2013, the subgroup developed drafts for a new Article 15a and a modified Article 17 § 1. In addition to these two modifications, and to take advantage of the opportunity offered by the Revision Committee in 2014, the entire draft revised ATMF is due to be brought into line with the latest developments, with the particular aims of:



- making more explicit the Contracting State →competent authority →assessing entity relationship;
- harmonising terms that have become vague, such as "bodies recognised as suitable", "the bodies", "authority carrying out technical admission", "the bodies responsible for carrying out assessments", "approving authority", by replacing these terms as appropriate by either "competent authority" or "assessing entity".

The subgroup works under the auspices of WG TECH. In 2014 WG TECH is scheduled to report the findings of its subgroup to the CTE, after which the Revision Committee will be competent to adopt modifications to ATMF.



Development of a new UTP for locomotives and passenger rolling stock (LOC&PAS).



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At its 6th session, the CTE approved a road map for the future development of UTPs. One of the primary objectives is to transpose the EU LOC&PAS TSI into a UTP LOC&PAS, covering not only passenger coaches, but also locomotives and multiple units.

Within the EU, the LOC&PAS TSI has been subject to a process of revision throughout 2013. ERA has finished its drafting activities and the Interoperability and Safety Committee (RISC) gave its opinion on the document in autumn 2013. This LOC&PAS TSI will be the basis for the development of equivalent UTP LOC&PAS.

The LOC&PAS TSI still contains some open points. As the UTP LOC&PAS will take precedence over the technical provisions in RIC¹ (in accordance with Art.11 § 2a of the 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 (APTU), it is important that these open points be closed for coaches meeting certain defined conditions, so that they will have the same "free circulation"² as RIC coaches have had for many decades (RIC has existed since 1922). In order to achieve this, two objectives have to be met:

- 1. definition of all requirements necessary for a single admission valid in all Contracting States. All such requirements should be included in the UTP.
- 2. a harmonised definition of vehicle-vehicle interfaces. These definitions may either be included in the UTP as a voluntary appendix, or in a separate industry "standard".

In cooperation with OTIF and its stakeholders, from 2014 ERA will work on point 1. For point 2, the rail sector, under the coordination of CER, will take the initiative for complementary specifications. It should be noted that this new impetus is the result of the

¹ International Coach Regulations or RIC (Regolamento Internazionale delle Carrozze), is a set of regulations for the reciprocal use of carriages and luggage vans in international traffic resulting from an agreement between European countries in 1922.

² "Free circulation" within the meaning of ATMF Article 6 § 3.



first ERA/OTIF joint workshop held in Bonn on 6 February 2014 to find solutions to the questions linked to the exchangeability of coaches.

ERA and OTIF jointly organised a workshop on inter-vehicle interfaces on 6 February 2014 in Bonn. The meeting was hosted by the Eisenbahn-Bundesamt (German Federal Office for Railways).

In order to be authorised/granted admission to international traffic, a vehicle must meet the legal requirements that apply to it according to EU legislation or the ATMF Uniform Rules (i.e. TSI/UTP, notified national requirements, etc). However, these legal requirements do not cover the technical details of the inter-vehicle interfaces. As a result, a passenger coach that meets all the legal requirements does not necessarily have the interfaces that make it suitable for exchange in international traffic. This means that for the exchange of passenger coaches in international traffic and in addition to the legal requirements, rail transport undertakings have to agree on technical interfaces (e.g. by means of the RIC agreement).

The aim of the workshop was to inform participants of the points of view of the different stakeholders and to discuss which legislation should be developed in order best to serve the sector.

In accordance with the conclusions reached during the workshop, the Community of European Railway and Infrastructure Companies (CER) was invited to provide information regarding passenger coaches with respect to the subjects listed below:

- 1. Inventory of market requirements.
- 2. A list of all requirements (already existing or not) needed by the sector, specifying the assessment/application methods that exist or which need to be set up.
- 3. Need to develop standards, International Union of Railways (UIC) leaflets, application guidelines, etc.
- 4. Analysis of the need for specific markings.

The response will be provided by CER in the course of 2014. ERA and OTIF will make the response available for information to the Member States of the European Union and to the Contracting States of OTIF. The CER data will be analysed by the European Commission, OTIF and ERA. The results of this analysis will be reported to OTIF's standing working group WG TECH.

The UTP LOC&PAS will be submitted to the CTE for adoption in 2014. The complementary specifications will continue to be developed in 2015.



Development of a new UTP for accessibility

Closely linked to the development of the UTP LOC&PAS is the development of the UTP for accessibility for persons with disabilities and persons with reduced mobility (UTP PRM), because it contains specifications applicable to passenger rolling stock in the scope of the UTP LOC&PAS. The UTP will be a transposition of the European Union's TSI with the difference that in the UTP the specifications for infrastructure and operations will not be mandatory.

The UTP PRM will be submitted to the CTE for adoption in 2014.

Joint Entity in Charge of Maintenance (ECM) and Vehicle Keeper Marking (VKM) registers

Article 13 § 5 of Appendix G to the Convention provides for international cooperation with respect to keeping registers. At its 6th session, the CTE mandated the OTIF Secretariat to develop joint OTIF-ERA registers for ECM and VKM, both hosted on the ERA website.

In accordance with the Administrative Arrangements between OTIF, DG MOVE and ERA, ERA and OTIF agreed on 19 December 2013 to establish a joint OTIF-ERA ECM register, to be hosted on the ERA website and operational by 1 April 2014.

Having a complete joint database for ECM certification bodies, ECM certificates and maintenance function certificates for entities situated in EU and in non-EU OTIF Contracting States in one place (ERA) offers advantages for the sector. In order to obtain an overview of all certification bodies and certificates, only one database hosted by ERA will need to be consulted.

Similarly, a single database for VKM codes assigned to keepers in EU OTIF Member States, non-EU OTIF Member States, OSJD non-OTIF Member States and to keepers in some other important countries in the Eurasian region is useful To obtain an overview of all VKM codes, it is sufficient to consult one register at ERA. The certification bodies of Contracting States that are not members of the EU will be able to create and amend data for which they are responsible in the ECM register, in the same was as certification bodies in the European Union.

ERA and OTIF will define practical arrangements for the transition to central ECM and VKM registers and the OTIF Secretariat will inform its Member States and other stakeholders of the implications. The OTIF Secretariat will remain the sole point of contact for notifications in the VKM register for the non-EU Member States.



Guidance for the correct application of technical regulations

Objective 3: Intensify our exchanges with our Member States that are not members of the EU, in order to build up a knowledge base and to develop actions for training.

Explanatory note for ECM

2013 marked the end of an important transitional phase in the scheme for certification and auditing of entities in charge of maintenance (ECM) as set out in Annex A to ATMF. From 31 May 2013 ECMs for freight wagons need to be certified in accordance with the regulation. Anticipating this development with the aim of providing easy to understand information, the Secretariat published the explanatory document "ECM regulations for freight wagons" on its website. In addition, the Secretariat responded immediately to several questions from authorities, certification bodies and ECMs.

Guide for the UTP WAG

After acceptance by WG TECH, the Secretariat published the Guide for the application of the UTP WAG (A 94-02/2.2012, version 7) on its website. As the WAG TSI and UTP WAG are fully equivalent, the basis of the document is the ERA guide for the application of the TSI for freight wagons (reference: ERA/GUI/07-2011/INT). With the agreement of ERA, OTIF copied the content of the ERA document and added OTIF guidance to it in blue rectangles, which means that apart from the text in the blue rectangles, this document corresponds exactly to the ERA application guide.



4. REGULATION ON THE TRANSPORT OF DANGEROUS GOODS



Objective 6: Improve the compatibility of the RID rules with the technical approach of the TSI as regards issues of interoperability.

Jochen Conrad Head of the RID service

The main focus of the RID service's work in 2013 was to conclude the revision of the dangerous goods regulations that is carried out every two years. However, the RID/ADR/ADN Joint Meeting in March 2014 still has to take various decisions before the RID Committee of Experts adopts all the amendments for the 2015 edition of RID at its meeting in May 2014.

Joint Meeting

The RID/ADR/ADN Joint Meeting develops harmonised European dangerous goods provisions for carriage by rail, road and inland waterways. The RID section of the OTIF Secretariat provides the Secretariat for the Joint Meeting, together with the Secretariat of the UNECE Transport Division. In 2013, the Joint Meeting held a one-week and a two-week session.

Work in connection with harmonising RID, ADR and ADN with the 18th revised edition of the UN Recommendations on the Transport of Dangerous Goods was the main focus. The aim of harmonisation is to simplify the intermodal transport of dangerous goods. Among the many amendments, the subjects described below do not cover the entire range of the RID department's activities; instead, they focus on major technical developments that have an impact on the regulations. This demonstrates the extent to which these regulations are directly relevant to the main challenges faced by the industry.

Classification and packaging of adsorbed gases

Nowadays, gases are compressed under high pressure or liquefied and carried in pressure receptacles. Pressurised gases are extremely dangerous, because if the cylinders or valves malfunction, large quantities of toxic, flammable and/or corrosive gases can be released into the environment. Owing to this inherent danger, the dangerous goods regulations contain strict requirements in terms of packaging and carriage.

When using gas adsorption technology, a reversible process, the gas is concentrated on the surface of a porous material which is permanently contained in a metal cylinder. The forces



of attraction between the adsorption material and the adsorbed gas molecules result in large differences in the physical properties of a gas. These forces of attraction lead to a reduction in energy of the individual gas molecules and hence to a reduction in pressure compared to the compressed or liquefied state.

At 20°C, the adsorbed gas contained in a metal cylinder is not pressurised, so a vacuum has to be created to extract the gas. This significantly reduces the risk, as the high pressure risk factor is eliminated.

This technology is already used today as an alternative to supply the semiconductor industry with toxic gases (e.g. arsine, phosphine or boron trifluoride).

17 new UN numbers are being included in the dangerous goods regulations. These cover both entries for specific adsorbed gases as well as collective entries. A definition and a new packing instruction applicable to all adsorbed gases will also be included.

Damaged and used lithium batteries

At present, the dangerous goods regulations only contain requirements for the carriage of new undamaged lithium batteries. Owing to the increasing use of such batteries in vehicle construction, for some time there has been a question of how, for example, lithium batteries damaged in an accident can be carried for the purposes of disposal or reprocessing.

While a special provision was already included in the dangerous goods regulations for land transport in 2013, which allowed the competent authority to lay down specific conditions, the last two years have been spent on developing packing instructions that apply multimodally. These deal with the carriage of damaged lithium batteries and the carriage of used lithium batteries.

Asymmetric capacitors

In addition to the electric double layer capacitors included in the regulations in 2013, a new entry for asymmetric capacitors has been provided. These have a rapid charge and discharge capacity, high energy density, are very durable and are used in various vehicle applications (recovery of braking energy, energy supply for peak loads in railways, buses and motor vehicles), and in the storage of renewable energy.



Carriage in bulk

Since the introduction of provisions relating to bulk containers that can be used anywhere in the world in the 2005 edition of RID/ADR/ADN, there have been two parallel systems for carriage in bulk, i.e. the traditional RID/ADR system and the multimodal system of the UN Model Regulations for bulk containers.

Having refused to unify the two parallel systems for carriage in bulk into a single system based on the multimodal system, the Joint Meeting carried out a great deal of work on checking the logic of the RID/ADR provisions and on modernising them to ensure that they were consistent with the UN requirements and that the two systems were coherent.

The result is a new system which largely avoids goods of the same class being subject to different requirements. It also eliminates disparities with the UN requirements.

Telematics applications in the carriage of dangerous goods

The Joint Meeting approved the telematics system architecture developed by a working group in order to use the electronic transport document and to improve the management of emergencies in the carriage of dangerous goods.

This architecture enables transport undertakings to input all the data necessary for the transport of dangerous goods into their own database or into a database belonging to a service provider of their choice. In transport checks or intervention by the emergency services, externally recognisable characteristics, such as vehicle markings and wagon numbers, are transmitted by the inspection personnel or emergency services to their respective control centres, which then use an internet-based interface to retrieve data from the carrier's databank (central control service). In so doing, the central control service ensures that access to the data input by the carriers can only be obtained via authorised entities.

The system architecture chosen means that both transport undertakings and the control authorities or emergency services can use existing systems. The central control service, which deals with the interrogation of and access to data, should preferably be set up at European Commission level.

OTIF will ensure that these developments are coordinated with the TAF TSI.



RID Committee of Experts



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The RID Committee of Experts is one of the most important organs of OTIF, as the provisions for the international carriage of dangerous goods by rail are continuously amended, which leads every two years to a completely new edition of the 1500 page RID. As the provisions of RID must also be applied to domestic transport in the EU Member States in accordance with EU Directive 2008/68 on the inland transport of dangerous goods, amendments to RID automatically lead to changes in national law. In this respect, OTIF plays a leading role.

In order to facilitate internal EU coordination of meetings of the RID Committee of Experts, it was decided in 2012 that the annual sessions would be held in the form of a working group (standing working group of the RID Committee of Experts). Only the last session of a biennium (generally in May of an even numbered year) should be held as a session of the RID Committee of Experts, at which all the decisions prepared by the working group should be adopted. This approach would make it possible to have open discussions in the working group, which would not be finally binding on the European Union, but would lead to a text for amendments to RID supported by the majority. In a joint letter between OTIF and DG MOVE, the implementation of the accession agreement with the European Union has made it possible to clarify how the discussions in the group of experts are to be organised.

In 2013, the RID Committee of Experts' standing working group held a one-week meeting in Copenhagen. The results of this working group still have to be approved at the meeting of the RID Committee of Experts in May 2014.

This meeting will focus mainly on adopting the amendments approved by the RID/ADR/ADN Joint Meeting in 2012 and 2013. The following subjects will also be discussed:

- > piggyback transport in mixed trains (combined passenger and freight transport),
- extending the special provision to prevent or limit damage in the event of the overriding of buffers to all substances that are toxic on inhalation,
- bulk carriage of coal that meets the RID classification criteria for goods that may undergo spontaneous combustion.



Cooperation with UNECE and ERA

The RID section took part as an observer in both sessions of the United Nations Economic and Social Council's (ECOSOC) Sub-Committee of Experts on the Transport of Dangerous Goods. The decisions adopted at these sessions will be reflected in the 19th revised edition of the UN Recommendations on the Transport of Dangerous Goods (UN Model Regulations) and will be included in the 2017 edition of RID in the context of harmonisation.

The RID section also attended part of the two sessions of the Working Party on the transport of dangerous goods (WP.15), the United Nations Economic Commission for Europe's (UNECE) decision-making body for amendments to the European Agreement concerning the International Carriage of Dangerous Goods by Road (ADR). The main aim of attending these sessions is to ensure that RID and ADR develop in parallel.

In addition, cooperation with the UIC Group of Experts on the transport of dangerous goods was continued in terms of preparatory meetings for the RID/ADR/ADN Joint Meeting and RID Committee of Experts.

The RID section was involved in the first joint management meeting between the Commission, ERA and OTIF on 19 December 2013 in order to improve coordination on issues relating to dangerous goods, particularly telematics applications and tank/vehicle interactions.



5. OTIF'S PREFERRED PARTNERS

A new framework for working with the Commission and ERA

Relations with ERA, which were already good, were further strengthened and formalised in 2013, particularly as the result of the signing of the Administrative Arrangements. The every-day working level cooperation has proven to be efficient and contributed a great deal to the success of the CTE in June 2013 and to subsequent developments. This close cooperation not only improves efficiency in preparing draft OTIF regulations, but also makes it easier to bring to the attention of ERA the positions of non-EU OTIF Contracting States concerning future developments in the EU railway regulations. A recurring item at every session of WG TECH is information in the form of a cross reference document on EU/OTIF regulations reflecting recent developments.

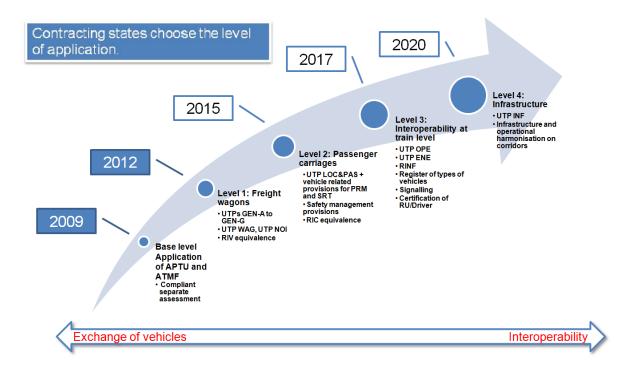
Regular ERA - DG MOVE - OTIF management meetings will be organised in accordance with the Administrative Arrangements. The first management meeting took place in Brussels on 19 December 2013.

Agreement was reached on several strategically important elements, among which were:

- to establish a joint working group on dangerous goods;

- to establish joint OTIF-ERA registers, to be hosted on the ERA website:

- The vehicle keeper marking (VKM) lists will be published on the ERA website, to which OTIF will provide a link on its own website,
- the entity in charge of maintenance (ECM) register will be published on the ERA website, to which OTIF will provide a link on its own website.





OSJD: revival of the common position of 2003

The management of OTIF and OSJD met in Warsaw on 18 September 2013 and agreed that they would now reactivate their cooperation on the basis of the "Common Position" signed by the two organisations in 2003. This entails in particular the renewal and updating of their institutional links by means of regular management meetings.

The two organisations believe that the creation of unified railway law is a desirable objective. They therefore agreed to participate in the work undertaken by the UNECE on the draft "Unified Euro-Asian Railway Law". OTIF acts with full transparency and provides OSJD with its contributions to the UNECE project.

Harmonisation of RID and Annex 2 to SMGS

At the beginning of the millennium, a large degree of consistency between the two sets of dangerous goods regulations was achieved by aligning the structure of SMGS Annex 2, which applies in the OSJD Member States, with the restructured edition of RID. This new structure means that it is now possible to transpose all subsequent amendments from RID into SMGS Annex 2 considerably more quickly, so the dates of entry into force of the versions revised every two years are now only separated by six months.

The work begun in 2012 on removing almost all the differences between RID and the dangerous goods regulations that apply in eastern Europe and Asia (SMGS Annex 2), and hence to facilitate the carriage of dangerous goods between the two legal regimes, was continued in 2013.

While most of the alignment work had previously been carried out in SMGS Annex 2, the standing working group has now agreed to amendments to special provision TE 22 concerning energy absorption at each end of the wagon and special provision TE 25 concerning devices to protect against the overriding of buffers, which take into account tank-wagons fitted with automatic coupling devices.

The RID section took part in all the OSJD meetings of experts that dealt with harmonisation in order to provide background information on decisions taken in the context of RID.



The CIT, representative of the interests of railway undertakings

The International Rail Transport Committee is one of the railway undertakings' main representatives. Its particular competences are in the areas of ticketing and the consignment note. OTIF has for many years taken part in the work of CIT working groups which are of interest in terms of developing OTIF's regulations.

As the railway undertakings' spokesman, CIT is also of benefit to OTIF: it enables OTIF to discover the practical requirements that railway undertakings have and to share their experiences of operations.

The Luxembourg Protocol: an international register of securities

The framework contract linking the Preparatory Commission (PrepCom) to SITA (*Société anonyme de télécommunications aéronautiques*) to implement the register has been finalised and should be signed in 2014.

In this context, questions concerning the host State agreement and the future Supervisory Authority were dealt with at a meeting between the PrepCom and the Swiss Confederation's Federal Department of Foreign Affairs (DFAE), which OTIF organised in Berne on 23 May 2013. A letter from OTIF dated 14 October 2013 was sent to DFAE to arrange a date to finalise outstanding matters.

A second meeting between DFAE and OTIF was held on 12 December 2013 to clarify matters that still needed to be resolved with PrepCom.



6. NEW IMPETUS FOR THE MANAGEMENT OF OTIF

Results of the in-depth audit carried out in 2013



Objective 10: Carry out an audit and implement its recommendations.

Objective 11: Stabilise the Organisation's budget.

Nébati Cédric Head of Administration and Finance

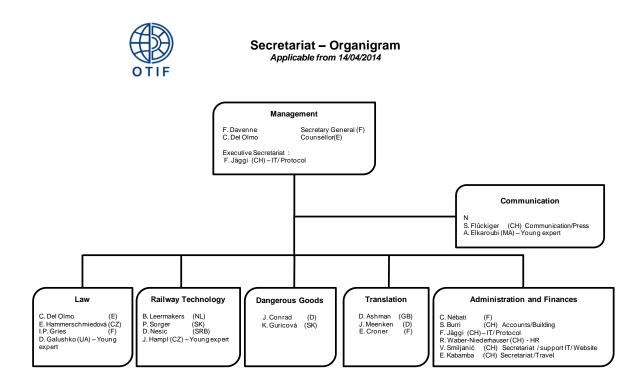
Between June and October 2013, an external audit was carried out to establish a road map for the Organisation based on an analysis of OTIF's strengths and weaknesses and on the definition of its tasks and an analysis of its strategic opportunities.

The audit was carried out with the participation of OTIF's staff so that they could identify with the diagnosis made and take ownership of the conclusions. The audit defines the following priorities, which the Administrative Committee voted on on 27/28 November 2013:

- implementation of a streamlined and simplified target organisation, which will place more value on OTIF's operational activities and reduce the relative amount of support expenditure;
- identification and implementation of critical processes: in addition to better budget management, which has already enabled OTIF to reduce its budget while implementing a strengthened programme of work, an innovative organisation and a renewed communication policy must also be put in place;
- implementation in 2014 of revised Staff Regulations by allowing management by objective for all staff, which will enable us to put in place appropriate skills management and recruitment;
- implementation of activities modelling: the audit has defined tools for modelling and managing activity that will be implemented gradually throughout 2014, gradually allowing the Organisation to improve its productivity and its reporting capabilities.

The new organigram therefore makes it possible to change from 10 departments to 5, pooling the support functions in a single department.





Establishment of a "young experts" programme

OTIF has set up a programme entitled the "Young Experts Programme" with the aim of recruiting highly qualified interns representing the various nationalities of OTIF's Member States. The aim of the programme will be to enable promising young graduates to discover OTIF's work and to put into practice their theoretical knowledge in areas as varied as communication, railway technology and law. To this end, a number of universities were contacted and information leaflets were disseminated in order to publicise the programme. The first interns in railway technology and communication started their internships in 2013.

Mr Ayoub Elkaroubi, a graduate of the College of Europe in interdisciplinary European studies, with training in translation and communication, began his internship in September 2013. His involvement and expertise helped significantly to improve the quality of the Organisation's institutional communication media. Mr Elkaroubi is from Morocco and his knowledge of Arabic has also greatly facilitated the improvement of our partnership with the GCC, which, on 19 March 2014, led to the signing of an MoU.

Mr Jan Hampl is a graduate engineer from the Czech Republic. He started work in the technology section in September 2013. His assignment was to analyse the information exchange between the actors in railway operations with a particular focus on the application of the TAF TSI³. He created an overview of all the technical and safety related information that is exchanged for international rail freight traffic in relation to legal obligations and

³ Commission Regulation (EC) No 62/2006 of 23 December 2005 concerning the technical specification for interoperability relating to the telematic applications for freight subsystem of the trans-European conventional rail system



responsibilities. In addition, he analyses and advises on the relevance of the TAF TSI for non-EU railway connections with the EU and helps disseminate information about the scope and application of the TAF TSI.

This growing openness of OTIF is a sign of greater visibility and attractiveness in terms of recruitment. 2013 has enabled us to establish proactive recruitment procedures which have demonstrated their effectiveness, as a significant number of applications have been received for each post advertised, whether for young experts or for Secretariat staff positions.

Critical processes

Objective 12: Increase the attractiveness and degree of awareness of OTIF.

Knowledge management

The OTIF Secretariat is a small organisation whose main activities are structured around its three operational services: the RID service, the legal service and the railway technology service. Their work, which is reflected in various Appendices to the Convention, is naturally segmented. This segmentation is further increased by the different degrees of maturity of these texts. On the one hand, the private law elements of COTIF, such as CIM, CIV, CUV and CUI, are well established; on the other, developments in public law in the framework of APTU and ATMF are in full swing.

For all these reasons, the Organisation is putting in place its own knowledge management in order to stimulate the sharing of knowledge, increase the quality and efficiency of the work carried out and to facilitate the integration of new members of staff.

Implementation of this knowledge management is planned for 2014-2015 by means of a participatory approach that will involve the whole of the management, using specific themed workshops, and which will provide all staff with the opportunity to express their views. Three major areas of development:

- the establishment of management tools to enable interdisciplinary working between the three operational departments;
- a revamped information system enabling access to and shared understanding of the documents produced by the Organisation;
- the recasting of IT tools with the establishment of collaborative modern tools.

The head of the technical department will lead this project in close coordination with the head of administration and finance.



Create a communication policy

At present, OTIF is characterised by an absence of communication policy: erratic recruitment has led to the tools becoming old, without a policy actually having been put in place. It is therefore necessary to consider communication in the broad sense as a priority for the Organisation.

In 2013, an interim head of communication was appointed to relaunch the process in the field of communication. Thanks to the results of a "benchmark", the Organisation's most urgent requirements in terms of communication were identified, and this has led to a specific heading in the budget for communication.

His work, as well as the recruitment of a young expert in September, have helped to initiate a number of actions:

- to establish professional tools of communication: activity reports, leaflets, etc.;
- revitalisation the Bulletin and make it more professional, as it now contains in-depth articles to reflect the diversity of the Organisation's tasks;
- the production of press releases and regular news articles.

In this context, the publication deadlines of the four issues of the Bulletin of International Carriage by Rail in 2013 were met. In addition, the quality of the articles contained in the various issues, as well as their number, have increased. Greater involvement of OTIF's management in the drafting of articles and better coordination of contributions have helped achieve this progress.

In 2013, 13 press releases/news bulletins were published on OTIF's website, in other words about one publication per month. For comparison, 4 press releases /news bulletins were published in 2012.

The recruitment of a person responsible for communication, who will be responsible for implementing these guidelines, following a rigorous policy of sub-contracting, will make it possible in 2014 to resume a communication policy appropriate to the standards of an international organisation:

- modernisation of the website to make it a communication and work sharing tool (creation of an Intranet available to stakeholders);
- to organise seminars to provide information and promote the Organisation;



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