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By **François Davenne**,
Secretary General of OTIF

This Bulletin follows the successful 25th Revision Committee held in Berne on 25 and 26 June 2014. Apart from some amendments to the basic Convention requested by the auditors, there were two amendments of particular importance to the Organisation:

- to clarify the liability regime between keepers and entities in charge of maintenance by including a new Article in the CUV Uniform Rules to ensure an effective link between the requirements of the technical regulations and the contractual provisions;
- to integrate into ATMF and APTU the amendments adopted by the last Committee of Technical Experts, which give OTIF's technical regulations a much more pronounced operational aspect.

This edition therefore contains an article looking at the last Committee of Technical Experts and, more generally, the strategy adopted to develop the regulations.

This was the first Revision Committee following the EU's accession to the Organisation. The accession has changed the way the Organisation works because for issues that come within the European Union's competence, further time for consultation has to be made available. The Secretariat anticipated this new situation with the setting up in 2013 of an ad hoc legal working group to deal with amendments to the CUV UR. This provided the opportunity for all the discussions that were necessary with our Member States, the European Commission and the stakeholders.

This type of body, which the Revision Committee endorsed, will become a regular working method for the Organisation, especially as the legal regimes of the CIV and CUI UR also require a number of amendments.

But that is another story.

François Davenne



Meeting of the UIC Global Team of Experts (Paris, 13 May 2014)

A meeting of the UIC Global Team of Experts (GTE) took place on 13 May 2014 in Paris at the headquarters of UIC. This was the first time OTIF had been invited to take part in the work of this group.



The GTE serves as a platform for exchange between all stakeholders and initiates and steers projects to create the right framework conditions for developing long-distance rail traffic. Members of the group represent key rail and non-rail stakeholders (railway undertakings, freight forwarders, railway associations, potential customers, shipping lines, etc.).



Being involved in the work of the group, OTIF can make a contribution to the promotion of intercontinental rail traffic between Europe and Asia. In this context, OTIF gave a presentation on rail facilitation.

Carlos del Olmo / Dariia Galushko

OTIF has a new young expert

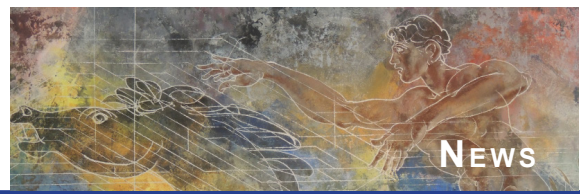
As of 25 March 2014, Ms. Dariia Galushko, from Ukraine, has joined the young experts programme to work in the field of railway law in OTIF's legal service and is responsible for carrying out a study on railway facilitation.



Ms. Galushko is a graduate of Kyiv State University of Economics and Transport and has an MA in the Organisation of Carriage by Rail.

She has professional experience, having worked for the International Department of the State Railway Administration of Ukraine.

Dariia Galushko



OTIF at the UIC's 4th Global Rail Freight Conference

(Vienna, 24 June 2014)

UIC's 4th Global Rail Freight Conference "GRFC 2014", organised in conjunction with Austrian Federal Railways (ÖBB), was held in Vienna on 24 June 2014. For participants and decision-makers in rail freight transport and logistics from all over the world, this International Conference has become a valued event for exchanges on best practices and the main problem issues.

The main theme of the 2014 Conference was "Seamless transport chains through harmonisation – global success and perspectives for rail freight" and was aimed at all actors involved in developing these activities. Delegates from 30 countries across the world attended the Conference. UNECE and OTIF were therefore invited to play a major role this year.



Mr Christian Kern, the CEO of ÖBB, host of the event and chairman of CER (Community of European Railway and Infrastructure Companies) opened the Conference with a welcome speech in which he also referred to the weak economic growth prospects. In this context, he noted that "the challenges for the railways are to be part of the solution to sustain growth and not part of the problem". [...] "It is a necessity for railways to be the backbone for efficient economic developments, in particular through an investment policy".

Jean-Pierre Loubinoux, the Director General of UIC, thanked ÖBB and Rail Cargo Group for their warm welcome and continued by emphasising the fact that "perspectives for the development of new long distance freight services have to be considered against the background of other evolutions, mainly demographic, economic and financial evolutions. To summarise, space and finances are no longer available to continue to develop fierce competition between transport modes, including freight".

Mrs Eva Molnar, the Director of the United Nations Economic Commission for Europe's (UNECE) Transport Division, said that in her opinion, the main challenges today for rail transport are infrastructure planning, cross-border facilitation, safety issues, and interoperability. UNECE action takes the shape of infrastructure agreements (AGC-

AGTC), multi-country Master Plans (Euro-Asian transport links project and TER) and global projects connecting continents, particularly Asia and Europe. With regard to rail freight, connections between ports and hinterlands have to be improved, the aspect of climate change impacts has to be better assessed and, more generally, sustainable development.

Eva Molnar insisted on the importance of developing synergies between United Nations and International Organisations such as UIC.

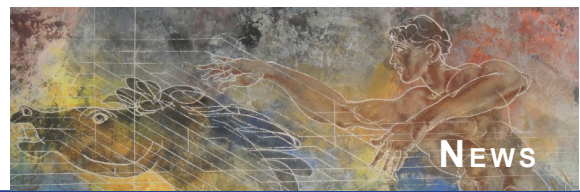
The Secretary General of (OTIF) then presented the role of OTIF in harmonising transport law and operating conditions at global level, with a special focus on harmonisation between the SMGS and CIM UR legal systems. OTIF plays an essential role in coordinating and managing the interfaces between different legal systems and different operational systems by providing efficient interface law. He presented OTIF's special role in relations between the institutional actors (UNECE, OSJD and the European Union), which had strengthened since the EU had acceded to OTIF in 2011.



This Conference was the ideal forum to highlight OTIF's role as a place of exchange and regulation for those working in international rail freight.

UIC will publish the news from its 4th Global Rail Freight Conference. It would take up too much space here to outline all the very interesting presentations that were given, but further details can be obtained from the [UIC website](#).

François Davenne



Withdrawal of declarations according to Article 42 § 1 of COTIF

Article 42 of COTIF says that any Member State may declare, at any time, that it will not apply in their entirety certain Appendices.

In an instrument dated 16 April 2014, Spain withdrew its declaration concerning Appendices CUI, APTU and ATMF with immediate effect.

So far, **18 Member States** of OTIF which are also EU Member States have withdrawn their declarations concerning Appendices CUI, APTU and ATMF. These States are Austria, Belgium, Bulgaria, Denmark, Estonia, Finland, Germany, Greece, Hungary, Latvia, Lithuania, Luxembourg, Netherlands, Poland, Portugal, Romania, Slovenia and Spain. France has withdrawn its declaration concerning Appendices CUI and APTU; the withdrawal of the declaration not to apply Appendix ATMF should follow in the next few months.

The reason the declarations have been withdrawn is the agreement concluded on 23 June 2011 between the European Union and OTIF on the EU's accession to the Convention concerning International Carriage by Rail of 9 May 1980, as amended by the Vilnius Protocol of 3 June 1999 (COTIF 1999).

In addition, in an instrument dated 18 June 2014, Norway, a member of EFTA, withdrew its declaration concerning Appendices CUI, APTU and ATMF with immediate effect and made a declaration in accordance with Article 11 of the Agreement on the EU's accession to COTIF (precedence of the EEA Agreement over COTIF).

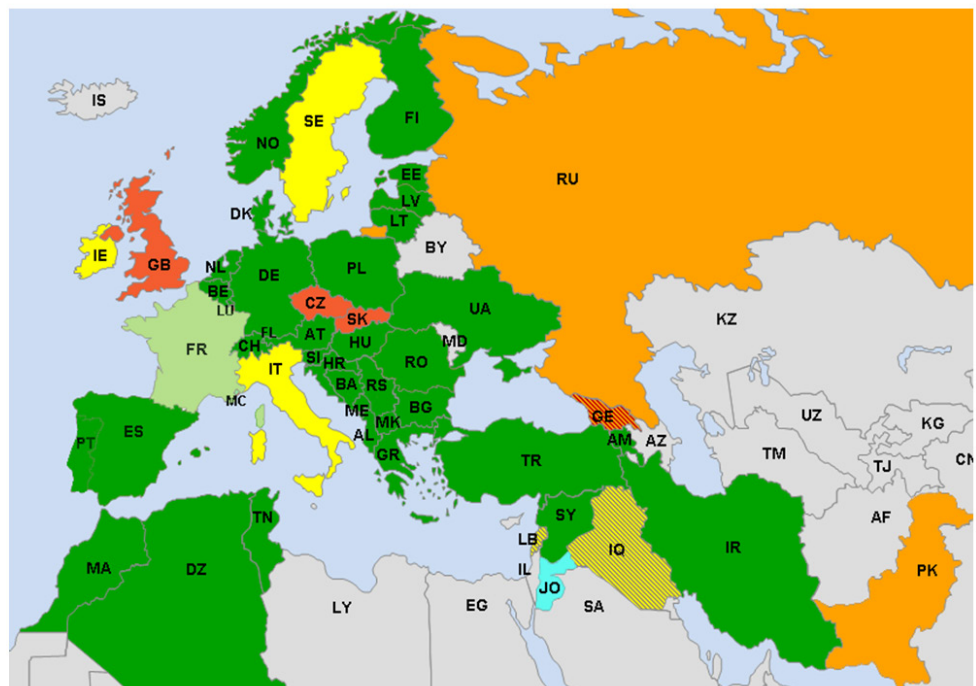
For a general overview of the scope of application of COTIF and the reservations, see the **following map and the summary table on the next page.**



Champ d'application géographique de la COTIF et ses appendices Geografischer Anwendungsbereich des COTIF und dessen Anhänge Geographical scope of COTIF and its appendices

État au 1^{er} juillet 2014
Stand 1. Juli 2014
Situation on 1st July 2014

- Tous les appendices de la COTIF (35)
Alle Anhänge des COTIF (35)
All COTIF appendices (35)
- Sans ATMF (2)
Ohne ATMF (2)
Without ATMF (2)
- Sans CUI/APTU/ATMF (3)
Ohne CUI/APTU/ATMF (3)
Without CUI/APTU/ATMF (3)
- Sans CUV/CUI/APTU/ATMF (1)
Ohne CUV/CUI/APTU/ATMF (1)
Without CUV/CUI/APTU/ATMF (1)
- Sans CIV/RID/CUV/CUI/APTU/ATMF (2)
Ohne CIV/RID/CUV/CUI/APTU/ATMF (2)
Without CIV/RID/CUV/CUI/APTU/ATMF (2)
- COTIF 1999 pas encore ratifiée (3)
COTIF 1999 noch nicht ratifiziert (3)
COTIF 1999 not yet ratified (3)
- Suspension de la qualité de membre (2)
Ruhe der Mitgliedschaft (2)
Membership suspended (2)
- Membres associés (1)
Assoziierte Mitglieder (1)
Associate Members (1)





Summary of the scope of application of COTIF and its Appendices

	CIV	CIM	RID	CUV	CUJ	APTU	ATMF	Not yet ratified	Comments
AL		✓	✓	✓	✓	✓	✓		
DZ		✓	✓	✓	✓	✓	✓		
AM		✓	✓	✓	✓	✓	✓		
AT		✓	✓	✓	✓	✓	✓		Reservations against the CUI/APTU/ATMF lifted with effect from 1 July 2011
BE		✓	✓	✓	✓	✓	✓		Reservations against the CUI/APTU/ATMF lifted with effect from 8 February 2012
BA		✓	✓	✓	✓	✓	✓		Reservations against the CUI/APTU/ATMF lifted with effect from 17 December 2012
BG		✓	✓	✓	✓	✓	✓		
HR		✓	✓	✓	✓	✓	✓		
CZ		✓	✓	✓	✓	✓	✓		Reservations against the CUI/APTU/ATMF lifted with effect from 7 July 2011
DK		✓	✓	✓	✓	✓	✓		Reservations against the CUI/APTU/ATMF lifted with effect from 9 August 2013
EE		✓	✓	✓	✓	✓	✓		Reservations against the CUI/APTU/ATMF lifted with effect from 1 July 2011
FI		✓	✓	✓	✓	✓	✓		Reservations against the APTU lifted with effect from 3 February 2014 and against the CUI with effect from 4 March 2014
FR		✓	✓	✓	✓	✓	✓		
GE		✓	✓	✓	✓	✓	✓		Reservation against the CUI lifted with effect from 1 January 2012 and against the APTU/ATMF with effect from 1 January 2013
DE		✓	✓	✓	✓	✓	✓		Reservations against the CUI/APTU/ATMF lifted with effect from 13 Sept. 2011
GR		✓	✓	✓	✓	✓	✓		Reservations against the CUI/APTU/ATMF lifted with effect from 18 February 2012
HU		✓	✓	✓	✓	✓	✓		
IR		✓	✓	✓	✓	✓	✓		OTIF membership suspended
IQ		✓	✓	✓	✓	✓	✓		
IE		✓	✓	✓	✓	✓	✓		
IT		✓	✓	✓	✓	✓	✓		Reservations against the CUI/APTU/ATMF lifted with effect from 26 April 2013
LV		✓	✓	✓	✓	✓	✓		OTIF membership suspended
LB		✓	✓	✓	✓	✓	✓		
FL		✓	✓	✓	✓	✓	✓		
LT		✓	✓	✓	✓	✓	✓		Reservations against the CUI/APTU/ATMF lifted with effect from 10 Nov. 2011
LU		✓	✓	✓	✓	✓	✓		Reservations against the CUI/APTU/ATMF lifted with effect from 11 January 2012
MK		✓	✓	✓	✓	✓	✓		
MC		✓	✓	✓	✓	✓	✓		
ME		✓	✓	✓	✓	✓	✓		
MA		✓	✓	✓	✓	✓	✓		
NL		✓	✓	✓	✓	✓	✓		
NO		✓	✓	✓	✓	✓	✓		Reservations against the CUI/APTU/ATMF lifted with effect from 1 January 2012
PL		✓	✓	✓	✓	✓	✓		Reservations against the CUI/APTU/ATMF lifted with effect from 16 June 2014
PT		✓	✓	✓	✓	✓	✓		Reservations against the CUI/APTU/ATMF lifted with effect from 1 January 2012
PT		✓	✓	✓	✓	✓	✓		Reservations against the CUI/APTU/ATMF lifted with effect from 13 May 2013
RO		✓	✓	✓	✓	✓	✓		Reservations against the CUI/APTU/ATMF lifted with effect from 1 March 2013
RU		✓	✓	✓	✓	✓	✓		Application on specific lines only
RS		✓	✓	✓	✓	✓	✓		
SK		✓	✓	✓	✓	✓	✓		Reservations against the CUI/APTU/ATMF lifted with effect from 19 October 2012
SI		✓	✓	✓	✓	✓	✓		Reservations against the CUI/APTU/ATMF lifted with effect from 16 April 2014
ES		✓	✓	✓	✓	✓	✓		
SE		✓	✓	✓	✓	✓	✓		
CH		✓	✓	✓	✓	✓	✓		
SY		✓	✓	✓	✓	✓	✓		
TN		✓	✓	✓	✓	✓	✓		
TR		✓	✓	✓	✓	✓	✓		
UA		✓	✓	✓	✓	✓	✓		Application on specific lines only
PK		✓	✓	✓	✓	✓	✓		Application on specific lines only
GB		✓	✓	✓	✓	✓	✓		
EU		✓	✓	✓	✓	✓	✓		

OTIF and EU Member State
 OTIF Member State only



As at 1st July 2014



The 7th Committee of Technical Experts

(Bern, 4-5 June 2014)

On 4 and 5 June 2014, OTIF hosted the 7th Committee of Technical Experts (CTE). The session took place at the premises of the Universal Postal Union in Bern, where the Secretary General and his team welcomed the 20 delegates. The session was attended by 15 representatives from different OTIF Member States which apply the technical appendices to COTIF, and by a representative of the EU. Organisations that cooperate closely with OTIF also attended, namely the European Railway Agency (ERA), The Community of European Railway and Infrastructure Companies (CER) and the International Union of Wagon Keepers (UIP). The meeting was chaired by Mr Roland Bacher from Switzerland.

An important agenda item was the revision of Appendix G (ATMF) to COTIF. The OTIF Secretariat presented the changes to ATMF that were developed and proposed by a dedicated working group. The main amendments proposed included a new Article 15a defining a safety concept for the operation and composition of trains. CTE accepted the draft text containing the proposed changes to ATMF, which was submitted to the 25th Revision Committee as a recommendation, as it is the Revision Committee which has the competence to amend ATMF.

Another seven documents proposing amendments that fall within the competence of the CTE were adopted:

Brief explanation of the new regulations:

- **UTP LOC&PAS** was prepared in accordance with a decision taken by CTE 6, which mandated WG TECH to develop the draft UTP LOC&PAS. The adopted document corresponds to the latest draft LOC&PAS TSI that is expected to enter into force in the EU on 1 January 2015. The UTP is equivalent to the TSI and includes several additional elements (e.g. specific cases for Switzerland and Norway).

- **UTP PRM** defines requirements for accessibility for people with reduced mobility and was prepared in parallel with UTP LOC&PAS. The adopted document was based on the version of the PRM TSI that is expected to enter into force on 1 January 2015. The UTP is equivalent to the TSI. The UTP contains mandatory requirements for rail vehicles; the requirements for stations are voluntary.
- **UTP MARKING** defines provisions for the marking of vehicles. The adopted document contains regulations which, up to now, were set out in Appendix PP to the UTP WAG. As the marking specifications apply not only to freight wagons, but to all types of vehicles, it was decided to create a UTP MARKING. The contents of the UTP are equivalent to the content of appendix 6 of the EU NVR specification (with the exception of part 4, which is already in the OTIF NVR specification), Appendix P to the OPE TSI and to the Tables for coding as published on ERA's website.

Brief explanation of the amended regulations:

- **UTP GEN-A** on essential requirements. The main changes concern the essential requirements related to noise and accessibility. The adopted amendments are in line with the amendments to Annex III of Directive 2008/57/EC brought about by Directive 2013/9/EU.
- **UTP GEN-C** on the requirements applicable to the technical file. The adopted amendments are in line with the amendments to Annex VI Section 4 of Directive 2008/57/EC brought about by Directive 2011/18/EU, which mainly concerns editorial improvements and updates of legal references.





- The **UTP WAG** was updated as a consequence of the new UTP MARKING. The adopted amendments delete Appendix PP and change the current reference from Appendix PP to the new UTP MARKING. In addition, the adopted amendments also update the reference in Appendix G to the latest list of approved composite brake blocks. Finally, the adopted amendments introduce a minor change to Appendix I in order to reflect correctly the EU TSI OPE.
- The **NVR Specification** was also updated as a consequence of the new UTP MARKING. These changes only concern updates of references.

The adoption of the above regulations is the result of intensive cooperation between the OTIF Contracting States, the European Railway Agency, the European Commission and the OTIF Secretariat.

The second part of the meeting focused mainly on the provision of information, during which OTIF's other activities and work during the previous year were presented. These activities included the consultation of non-EU OTIF Member States on draft TSIs (TAF TSI, OPE TSI, CCS TSI) and the creation of the joint OTIF/ERA register for ECM and VKM, which has been live since 1 April 2014 and which helps the railway stakeholders obtain the appropriate data easily.

The CTE discussed and validated the strategy, tasks and priorities for OTIF that will come within the scope of the CTE in future years. These include:

- Development of a document/instrument covering/ explaining operational responsibilities for the operational actors (i.e. RU, keeper, ECM), based on the new ATMF;
- Development of additional requirements for a single admission for passenger coaches to be annexed to both the UTP and the TSI LOC&PAS, within the framework of an ERA Working Party;
- Analysis of what is required to define voluntary harmonised technical solutions for vehicle-vehicle interfaces for passenger coaches, based on the input from CER;
- The revision of the UTP NOI, following the adoption in the EU of the associated TSI;
- Amendment of the UTP WAG, if necessary, as a result, for example, of:
 - closing open points in the CCS TSI which will then entail the revision of appendix H of UTP WAG;
 - the revision of the OPE TSI, which will entail the revision of appendix I of the UTP WAG.
- Consideration of amendments to the UTP GEN-D (assessment methods), depending on developments in the EU;
- Consideration of amendments to Annex A to ATMF (ECM regulations), depending on developments in the EU;
- Development of application guide(s), particularly for UTP LOC & PAS;
- Further development of activities in connection with the dissemination of information and monitoring;
- Conducting studies in strategic areas;

- Alignment of RID regulations and ATMF;
- Representation of OTIF in ERA working parties by experts from Member States.

The last item on the agenda was to arrange future meetings. It was agreed that the 8th CTE will take place on 10 and 11 June 2015, probably in Bern. The next working group WG TECH will be held on 10 and 11 September in Bern.

The 7th CTE was a successful meeting, which was also underlined in the closing remarks from the chairman, who summed up by saying that the CTE had worked very well, resulting in the adoption of three new UTPs. He particularly noted the good working atmosphere.

Bas Leermakers/ Jan Hampf



The OSI model (Open Systems Interconnection) A useful concept in the railway sector?

Thanks to the work of ERA, in only a few years the concept of interoperability has become a model that is increasingly recognised in the railways sector, well beyond the European Union. In fact, by placing the definition of homogeneous interfaces at the heart of the Technical Specifications for Interoperability (rail/road interface, compatibility with the infrastructure and energy systems), ERA had developed a consistent model enabling the structured development of services, on the one hand, and of industrial standards, on the other.

One of the most delicate questions that arises at this stage of development concerns the conceptual basis of such a model when it is in the process of being adopted by countries which are not members of the European Union, whether it is those non-EU Member States of OTIF that we are interested in here, or whether, in a more distant perspective, it is those States that are in the process of obtaining a railway infrastructure (the States of the Arab Peninsula are a good example of the latter).

At present, the theoretical justification on which the interoperability directive is based is Directive 2012/34/EU establishing a single European railway area. It is therefore the setting up of an integrated and competitive railway market which guided the technical choices. This is even more so for the Safety Directive, as fairly conventionally, the arguments related to safety have been part of the non-tariff barriers to competition in the network industries.

The Safety Directive is not the subject of this article, especially as OTIF cannot yet claim a great deal of competence in this area. Nevertheless, it seems important to note that this is the regulation which has the most impact in structural terms. Indeed, the opening of the markets is based on national safety authorities, which are both independent of the public authorities and of railway operators, which must be capable of authorising railway vehicles without being suspected of conflicts of interest. On a more technical level, the Directive also requires transparency of the safety rules, which cannot be produced solely by the operators. These structural modifications have a very significant impact in legal terms and require specific technical solutions, including for subjects which, at first sight, seem fairly unrelated to safety.

Therefore, taking as its inspiration the OSI model (Open Systems Interconnection), which is well known in the telecommunications sector (1), this article aims to show how such a model could clarify the modelling of interfaces in the rail sector (2), taking the example of inter-vehicle interfaces (3).

It is not necessary for interoperable networks to be opened up to competition

In the context of rail transport, the progressive creation of the various rail packages has enshrined the idea that

interoperability and opening up to competition were linked, but these two subjects are of a different nature.

Historically, the railway networks were established on the basis of technical solutions that are largely incompatible, mainly for military reasons, but also because they were developed on the basis of concessions to private companies which had an interest in preserving a certain incompatibility. As a result, despite the major work carried out by UIC at the technical level and by OTIF at the legal level, these networks remained barely interoperable until the European Union became involved with this issue.

In telecommunications, the situation is the reverse, as the various actors understood the need not to duplicate costly and cumbersome infrastructures as a result of incompatible technical solutions. Thus, very early in the 19th century, with the development of a worldwide sub-sea telegraph cable network, common international standards were put in place. So from 1877, the British telegraph network was 103,068 km long and 43 international cables landed in France.

It was against this background that the ITU (International Telecommunication Union) was set up in Berne in 1865. It was originally called the International Telegraph Union. It adopted its current name in 1942 and was made part of the United Nations in 1947. It establishes the standards in the sector which, without mentioning the word specifically, enable the various telecommunications systems to be interoperable. It is this very strong "acquis" which has made it possible to open the markets quickly. In Europe, the latter began with international traffic for undertakings.

This "acquis" exists both for telephone services and for data transfer services, where the limit between the two has become increasingly blurred over time. In this article, we will concentrate on the model chosen for the exchange of data between IT systems. The reason for this is that this is based on an elaborate definition of the OSI (Open Systems Interconnection) interfaces.

In the network industries, the question of interfaces is key: the example of OSI (Open System Interconnection)

The OSI model now constitutes a theoretical baseline reference, because in practice the current internet networks function on the basis of TCP/IP protocols (*Transmission Control Protocol/Internet Protocol*). However, the same principle applies in both cases. This consists of breaking down the various protocols necessary for the transmission of data into different layers. In a stack of protocols, each layer resolves a certain number of problems relating to data transmissions and provides well-defined services to the layers above. The upper layers are nearer to the user and handle more abstract data using the services of the lower layers, which format these data so that they can be transmitted on a physical medium.

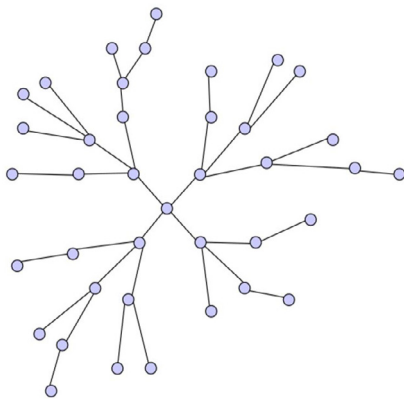


To explain the analogies that exist, we must focus for a while on the constraints inherent in establishing data communication between two terminals. In order for data network terminals (figure 1) to be able to exchange information:

1. each terminal must be capable of exchanging data with all the other terminals;
2. it must be possible to exchange data units (packets) between nodes;
3. it must be possible for physical signals to be transmitted on the lines and for them to transit through the physical interfaces.

Figure 1: A data transmission network

If we replace the data packets with wagons/coaches,



there is a fairly direct analogy with the issues raised not only by questions of interoperability, but also of interchangeability between railway rolling stock. In fact, it is necessary to be able to sort, assemble and ensure the transport of packets like wagons from beginning to end, the only substantial difference being that it is possible to lose some packets, with an entire part of the protocol dedicated to their retransmission, whereas this is obviously not possible for physical wagons.

All in all, this similarity is quite logical because the physical message services have served as a conceptual model for the development of data transfer protocols. Nevertheless, the more complex aspect of data transfer and the more numerous interface problems that arise have given rise to an original model, which is based on different levels of layers delineating the different stages of data transfer. Put more simply, the following can be distinguished:

- the material layers, of which there are 3, which ensure physical transmission of the signals (1), then – via physical addresses (2), then logical addressing (3) – ensure that the packets are delivered to be processed by one of the machines connected to the network;
- the upper layers, of which there are 4, which concern the processing to be carried out once the material connection is established so that the machines can exchange their respective information.

Figure 2: The 7 OSI layers

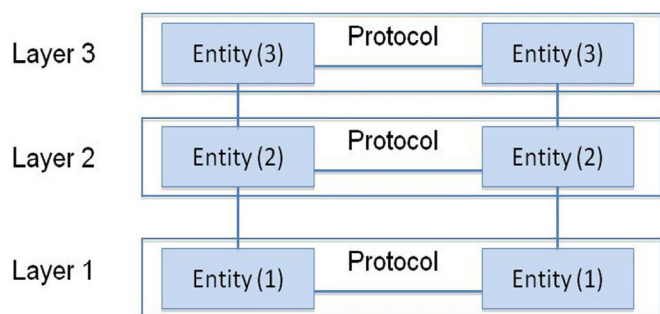
	Types of data	Layers	Functions
Upper layers	Data	7. Application	Managing sessions and access to network services
		6. Presentation	
		5. Session	
	Segments	4. Transport	Point to point connection (data stream control)
Material layers	Packets	3. Network	Determining the route from point to point (IP address)
	Frames	2. Link	Physical addressing (i.e. between 2 nodes)
	Bit	1. Physical	Transmission of signals

The model defines the interactions between the layers, which makes it possible to specify accurately the various interfaces and their role:

- Each entity interacts directly with the layer below and offers services to the layer above.
- The service definition describes the functionalities that layer N-1 obtains from layer N.
- Each protocol enables an entity in a host (network/terminal node) to interact with another entity at the same level in another host.

This extremely precise segmentation simultaneously deals with issues concerning the physical specifications (cables, radio, type of modulation, etc.) and defines the corresponding services by effectively modelling the necessary interfaces.

Figure 3: Interactions between layers



A possible example of adaptation of the OSI model to the rail sector: vehicles within the meaning of CUV

In the narrow scope of this article, there is obviously no question of proposing an alternative model, or even of trying to propose a precise analysis of the way in which this alternative model could be applied to the TSIs, which would certainly be spread over several levels. Indeed, the TSIs address not only the physical design, but also operational rules for train composition and traffic regulation that would be set on layer 2 or 3, depending on the assumptions made.



It is a matter of provoking thought and of demonstrating that the hierarchical OSI model makes it easier to envisage more clearly the question of the different levels of standards that are necessary to define the railway system by its interfaces. In fact, the strength of such a model lies in the possibility:

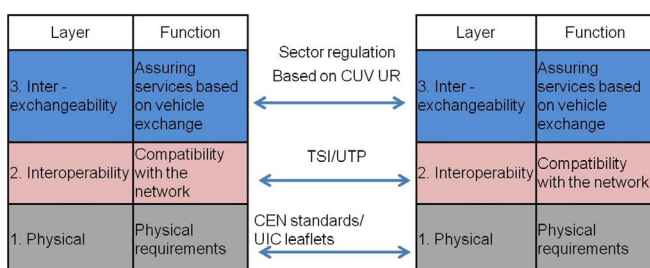
- of defining the services at each level whose consistency is ensured, without there being any redundancy with the lower layers;
- of being able, between each layer, to rely on exchanges of standardised services, as the actors in standardisation are not necessarily the same;
- avoiding an interference effect by placing the specification levels in a hierarchy.

The example chosen is freight services based on vehicles within the meaning of CUV, i.e. wagons.

For the purpose of this illustration, the third layer would correspond to the requirements that will allow end-to-end wagonload freight services to be set up, which would ensure path reliability and delivery deadlines with multiple RUs involved. One of the key features would then be to offer inter-exchangeability of wagons among the different networks. As it is out of the scope of this article to describe the other feature that would be necessary for the complete service, we will concentrate on inter-exchangeability. In this context, a three layer model could be as follows:

- a physical layer corresponding to the physical characteristics of the vehicles, as defined in the CEN/ UIC standards; this layer would only take into account the components of UIC standards that relate to physical definition;
- a layer corresponding to the link layer, which could be called “interoperability”, responsible for ensuring compatibility with the network; this layer would also include the operational rules that are necessary for train operation;
- a service layer corresponding to the requirements concerning in particular the inter-vehicle interfaces, which may be the support for end-to-end individual wagons services and/or coach exchange.

Figure 4: A model based on the OSI for railway vehicles



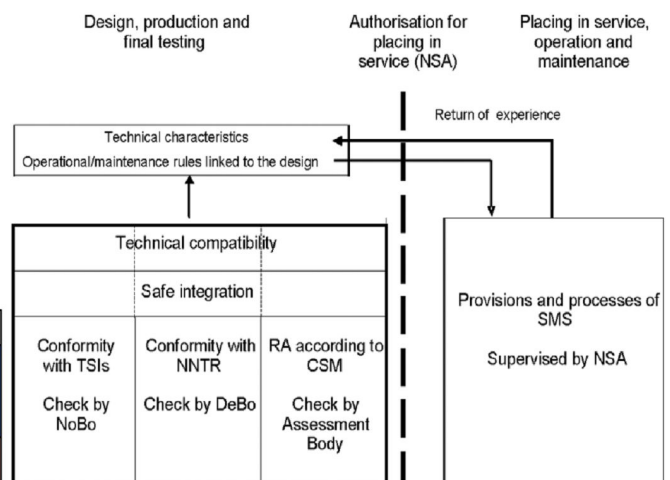
A practical illustration: creation of a technical marking in the contract of use of vehicles

To try to give a practical illustration, the TSIs do not at present contain a comprehensive set of inter-vehicle interface specifications (with the exception of annex C to the TSI Wagons). However, such specifications are necessary in international traffic, particularly for coaches, as a replacement for RIC¹. According to the model described above, consideration could be given to defining such a service (i.e. the exchange of coaches) by means of regulations developed by the sector, with the following features:

- Coaches could be marked to indicate that they meet particular technical specifications.
- A marking would be applied under the responsibility of the keeper and the contract of use between the keeper and the railway undertaking would refer to the corresponding specifications.
- The contract of use and the associated marking would enable the railway undertaking to ensure that the coach does in fact meet the technical requirements defined in the contract of use.
- For placing on the market, the processes linked to safe integration and feedback on experience, as specified in EC Recommendation 2011/217/EU², should be capable of ensuring that these technical specifications are implemented consistently.

An optional annex to the UTP Loc&Pas would be simpler and could also be described within the OSI model, but would be less illustrative for the purpose of this article. Indeed, this would split a UTP, rather than being part of a more comprehensive specific service layer for passenger transport.

Figure 5: Correlation between placing on the market and operation according to EC Recommendation 2011/217/EU.



¹ The International Coach Regulations or RIC (*Regolamento Internazionale delle Carrozze*) is a set of regulations for the reciprocal use of coaches in international traffic which has its origins in a 1922 agreement between European countries.

² EC Recommendation 2011/217/EU on the authorisation for the placing in service of structural subsystems and vehicles under Directive 2008/57/EC.



The implementation of such a solution could therefore be based on an adaptation of the Uniform Rules concerning the Contracts of Use of Vehicles (CUV). These would offer a legal basis for special technical markings linked to the specifications for the interface between vehicles (level 3 on the proposed model), which, as an addition to the TSIs/UTP (level 2), would provide the possibility of defining specific services based on the possibility of exchanging vehicles.

François Davenne



RID/ADR/ADN Joint Meeting (Berne, 17 - 21 March 2014)

Brief summary: *The spring session of the RID/ADR/ADN Joint Meeting took the final decisions for the 2015 editions of RID, ADR and ADN and the first decisions for the next but one edition of each of these regulations.*

The first RID/ADR/ADN Joint Meeting of the 2014/2015 biennium was held in Berne from 17 to 21 March 2014. However, most of the decisions at this meeting concerned the 2015 editions of RID, ADR and ADN. 23 States, the European Commission, the Committee of the Organization for Cooperation of Railways (OSJD) and 13 non-governmental organisations were represented at this meeting.

Tanks

A tank working group was again set up to deal with issues relating to tanks. This group met in parallel to the plenary and was chaired by Mr Arne Bale (United Kingdom).

Carriage of UN 1131 carbon disulphide

Carbon disulphide is a flammable, poisonous, clear, colourless liquid. It has a flash-point of -43°C and a boiling point of 46.2°C . Carbon disulphide vapour and air form an explosive mixture with a very broad range of explosive concentrations (1.25% to 50% by volume).

In connection with the further harmonisation of RID and SMGS Annex 2, it was noticed, among other things, that the carriage of UN 1131 carbon disulphide in tanks is subject to different conditions in each set of regulations. In particular, SMGS Annex 2, unlike RID, requires that when it is being loaded and unloaded, the tank has to be filled with an inert gas (e.g. nitrogen) at a gauge pressure of between 0.01 MPa and 0.03 MPa.

The tank working group supported the Russian Federation's proposal also to include this protective gas rule in RID/ADR/ADN and decided to assign the existing special provision TU 2 to this substance.

Carriage of liquefied natural gas (UN 1972) in non-vacuum insulated tanks

At the last meeting, first the tank working group and then the Joint Meeting had supported France's interpretation that a tank for the carriage of refrigerated liquefied natural gas (LNG) has to be vacuum insulated and a non-vacuum insulated tank may not be used to carry this substance. It was also made clear that tanks without vacuum insulation built before the entry into force of the mandatory application of these standards on 1 January 2009 were still in service and could continue to be used by means of a transitional provision.

As a result of this decision, Spain had already published a "legal ordinance" prohibiting the construction of non-vacuum insulated tanks for the carriage of liquefied natural gas. However, it was noted that about 40 non-vacuum insulated tank-vehicles had still been built in Spain and Portugal since 1 January 2009 for the carriage of liquefied natural gas, because the standards referred to in ADR were interpreted differently.

Various experts in the tank working group confirmed that because of the way standard EN 14398 was referred to, there were sufficient reasons to misinterpret the scope of application of this standard. In conjunction with the standards working group, various amendments had now been made to the table of referenced standards.

In a vote, the Joint Meeting saw no need to provide another transitional provision for tanks built between 1 January 2009 and 30 September 2013. Such tanks could continue to be used by means of a multilateral special agreement or a national derogation. As this only concerned ADR, a final decision at the next session of WP.15 would be awaited.

Alternatives to the hydraulic test

According to ADR 6.8.2.4.2, an LPG fixed tank and its service equipment is required to undergo a hydraulic test every 6 years.

In the view of the European Liquefied Petroleum Gas Association (AEGPL), experience over the last 30 years in the United Kingdom and North America has shown that the hydraulic test can be replaced by suitable Non Destructive Testing (NDT) techniques.

Due to the nature of liquefied petroleum gases (LPG) and types of tank used, internal corrosion or erosion are improbable modes of failure. The only probable modes of failure are external corrosion or fatigue cracks that are either initiated or propagated due to pressure cycling or loads resulting from the transport operation. The testing techniques used should therefore be capable of finding any reduction in wall thickness (the result of external corrosion) and any cracks. In AEGPL's view, the best method to find fatigue cracks before they can propagate to failure is to use a suitable NDT technique, rather than a hydraulic test.

In the biennium that has just ended, the Association submitted several proposals on this, on which the tank working group had now come to the following consensus.

- The scope of the proposed new special provision should initially be limited to LPG carbon steel road tanks.
- It should be possible to apply a combination of non-destructive test (NDT) methods during the inspection.



- Acoustic emission was not deemed a very practicable NDT method for road tanks (too many discontinuities in the mounting of the tank, flexible joints, ...) and was not included in the proposed list of methods.
- The competence of the person applying the NDT should be adequately covered either via a standard or via a special provision.

All the conditions for NDT were summarised in a new special provision assigned to UN numbers 1011, 1075, 1965, 1969 and 1978.

Holding times for refrigerated liquefied gases in tank-wagons and tank-containers

For a number of years, the RID Committee of Experts has been discussing the value of including a provision in RID 5.4.1.2.2 (d) requiring the consignor of refrigerated liquefied gases in tank-wagons, portable tanks and tank-containers to enter a date in the transport document before which the safety valves will not activate. In addition, special provision CW 30 says that the consignor and the carrier must come to an agreement on the conditions of carriage before consignments are handed over for carriage.

The aim of these provisions is to ensure that

- before transport begins, the consignor agrees the scheduled duration of carriage with the carrier,
- by agreement with the consignor, the filler fills the tank in such a way that the safety valves do not activate before the scheduled arrival of the consignment with the consignee,
- if there are delays in the transport operation, the carrier can make arrangements for the consignments to reach the consignee before the date entered.

However, practice shows that for many reasons, the valves may open before the specified date. For example, it is possible that the insulation or the safety valves are defective, the gases have been loaded at too high a temperature, the activation times have been wrongly calculated or in some case, particularly in the case of reconsignment of tank-containers or portable tanks, the activation times stated are based purely on estimates.

In previous years, the European Industrial Gases Association (EIGA) had submitted various documents to the tank working group proposing to pursue the concept of the reference holding time and the actual holding time applicable to portable tanks for tank-wagons and tank-containers for the carriage of refrigerated liquefied gases.

This means that for tanks for the carriage of refrigerated liquefied gases, the so-called reference holding time has to be determined on the basis of various factors, such as the effectiveness of the insulation system, the lowest set pressure of the pressure limiting devices, the initial filling conditions, the physical properties of the individual

refrigerated liquefied gas intended to be carried. This reference holding time for the respective gas must be shown on the tank plate.

For each journey of a tank with refrigerated liquefied gases, the actual holding time must then be determined on the basis of the reference holding time, the actual filling density, the actual filling pressure, the lowest set pressure of the pressure limiting devices and the deterioration of the insulation.

The working group agreed texts to be included in the regulations in 2017. Some open points, such as the return of empty, uncleaned tanks, will have to be examined before then.

Proposals to amend RID/ADR/ADN

Lithium batteries contained in vehicles and equipment assigned to UN Nos. 3166 and 3171

Special provision 240 in the UN Model Regulations draws a clear distinction between equipment and vehicles powered by lithium batteries consigned under UN numbers 3091 and 3841, and those consigned under UN numbers 3166 and 3171. In the UN Model Regulations and maritime and air transport regulations, UN numbers 3166 and 3171 are subject to simplified transport conditions, notably in respect of packaging, but the batteries themselves are not exempt from the construction and prototype testing requirements intended to ensure their intrinsic safety.

The fact that under RID/ADR, UN numbers 3166 and 3171 are declared "not subject" to the regulations could be seen to imply that the lithium batteries contained in such vehicles and equipment are also exempt from construction requirements and can be built following an untested design. The result of this could be that these batteries could be carried when built in, but not outside the equipment or vehicle.

The Joint Meeting did not believe that an amendment proposed by France was necessary, as it is very unlikely, for example, that an electric bicycle and its battery would be manufactured at the same place. In such cases, the battery already has to meet the test requirements of the Manual of Tests and Criteria for carriage to the assembly plant.

UN 3170 Aluminium smelting by-products or aluminium re-melting by-products

At present, UN 3170, aluminium smelting by-products or aluminium re-melting by-products may be carried according to ADR as substances of packing group II in sheeted vehicles and sheeted large containers with adequate ventilation, whereas in RID, movable-roof wagons or closed large containers are permitted. For packing group III, both sets of regulations permit sheeted and closed means of transport and specially adapted hermetically closed means of transport.



In global transport, both packing groups of UN number 3170 may be carried both in sheeted and in closed bulk containers, although there is a contradiction in relation to sheeted bulk containers, because for all substances of Class 4.3, 7.3.2.4 requires the use of watertight bulk containers (BK 2).

In connection with revising the RID/ADR provisions for carriage in bulk, the question as to whether the additional provision AP 3 must be assigned to this substance, as it is to all other Class 4.3 substances, remained open. AP 3 only allows the use of sheeted wagons/vehicles or containers if the substance is in pieces, i.e. not in powder, granular, dust or ash form.

By-products of the manufacture and smelting of aluminium include various products of different compositions and from different processes. These include aluminium dross, aluminium skimmings, spent cathodes, spent potliner (SPL) and aluminium salt slags.

All products have a heterogeneous composition (different chemical properties and particle size) and all of them contain water to a certain degree, which can lead to the formation of hydrogen. In addition to hydrogen, methane and ammonia can be emitted.

As there is always a certain degree of powder or dust, the additional provision AP 3 can never be fulfilled, which would mean that in future, UN 3170 could never be transported in sheeted wagons/vehicles or sheeted containers. On the other hand, hermetically closing the openings of the means of transport would prevent the exit of gas, but would not prevent the formation of hydrogen within the wagon/vehicle or container, as a certain amount of water is always present. This would create a potentially flammable or explosive atmosphere.

The Joint Meeting decided in principle to permit both sheeted wagons/vehicles and sheeted containers as well as closed wagons/vehicles and closed containers, but with adequate ventilation. In addition, a special loading and unloading provision prescribes that sheeted wagons/vehicles and sheeted containers must be watertight and that the loading doors of closed wagons/vehicles and closed containers must display a warning.

Exempting the carriage of construction, agricultural and forestry machinery

In the 2013 edition of RID/ADR/ADN, special provision 363 was assigned to the UN numbers for fuels (UN 1202, UN 1203, UN 1268, UN 1863 and UN 3475). This special provision contains particular provisions concerning the fuel contained in equipment or machinery (e.g. generators, compressors, heating units, etc.). In addition to construction requirements for the fuel tank, these special provisions include marking requirements based on the capacity of the means of containment.

One European Association is of the view that in RID/ADR, there is no clear distinction between equipment or machinery to which special provision 363 applies, and vehicles and other means of transport which, when carried as a load, are exempt from the provisions in accordance with RID/ADR 1.1.3.3. In the case of self-propelled construction, agricultural and forestry machines with fuel tanks of different sizes in their interior structure which are used for propulsion and operation of their equipment, it is not clear whether these are considered as equipment and machinery or as vehicles carried as a load.

The Joint Meeting decided to include another general exemption in 1.1.3.3 covering not just construction, agricultural and forestry machinery, but all mobile machines which are not used in road transport and which come under Directive 97/68/EC.

Marking of bundles of cylinders

Provisions for the marking of RID/ADR bundles of cylinders were included in the 2013 edition of RID/ADR. Now that the the 2015 edition will also contain marking provisions for UN bundles of cylinders as a result of harmonisation with the 18th edition of the UN Model Regulations, a reference to these new provisions will be sufficient for RID/ADR bundles of cylinders.

However, RID/ADR does not yet contain any provisions for marking bundles of cylinders after the periodic inspection and test. In Europe, for practical reasons periodic inspection marks have been applied to bundles of cylinders using the marking requirements applicable to refillable pressure receptacles.

In order to remove any doubt in future, it was agreed to set out the marking requirements for RID/ADR bundles of cylinders in three parts.

- Marking of individual cylinders in a bundle of cylinders,
- Marking the bundle of cylinders with manufacture markings, operational markings and certification markings and
- Marking for the periodic test and inspection.

At the same time, the transitional provision for bundles of cylinders adopted for the 2015 edition was adapted.

5.5.3

After including 5.5.3 (Special provisions applicable to packages and wagons/vehicles and containers containing substances presenting a risk of asphyxiation when used for cooling or conditioning purposes) into the 2013 edition of RID/ADR, various amendments were made to this text during the last biennium. Among other things, the Joint Meeting in March 2013 de-cided to include a provision according to which the marking and documentation provisions only apply if there is an actual risk of asphyxiation in the vehicle or large container. The last sentence of this new provision says that "as a rule, it is assumed that packages containing dry ice (UN 1845) as a coolant do not present such a risk".



These decisions were taken against the background that in the case of courier, express and parcel services that only carry a few small packages over short distances in an urban environment, as a rule there is no risk of asphyxiation and affixing the warning label must therefore be considered as disproportionate (see Bulletin No. 1/2 2013).

At the Joint Meeting in September 2013, the representative of Austria described in an informal document the tragic death of a chef who had been carrying a package containing dry ice in his private vehicle. Several delegations emphasised the importance of separating the driver's cab from the loading space.

Safety information from the German Industrial Gases Association (IGV) also states that dry ice may only be carried in a separated, gas tight load compartment or boot area, and not in the driver's cab. Dry ice should only be carried in private cars with the windows open even when the dry ice is carried in the boot. There is also safety information from the European Industrial Gases Association (EIGA) which shows clearly that, unlike other substances such as nitrogen, which is also used for cooling purposes, carbon dioxide is not just an asphyxiant, but is also dangerous if sufficient oxygen is present.

Based on this additional information, the Joint Meeting revised its decision of March 2013 and deleted the addition that it is assumed that packages containing dry ice as a coolant do not present a risk of asphyxiation.

Next session

The Joint Meeting from 15 to 19 September 2014 will continue its discussions on the amendments for the 2017 edition of RID/ADR/ADN.

Jochen Conrad / Katarina Guricová



RID Committee of Experts' standing working group

3rd Session (Berne, 20 and 21 May 2014)

The third session of the RID Committee of Experts' standing working group was held on 20 and 21 May 2014 under the chairmanship of Mr Helmut Rein (Germany). 17 States, the European Commission and the European Railway Agency (ERA) and 5 non-governmental international organisations were represented at this meeting.

This meeting of the standing working group focused on the adoption of the final amendments for the 2015 edition of RID.

Work of the RID/ADR/ADN Joint Meeting

The working group approved all the final amendments adopted by the last RID/ADR/ADN Joint Meeting in March (see pages 15-18) for the 2015 editions of RID, ADR and ADN, with the exception of the provisions for flexible bulk containers.

Proposals for amendments to RID

Sub-section 1.1.3.3

Whereas ADR 1.1.3.3 deals with the exemption of fuels in the tanks of vehicles performing a transport operation and in the tanks of vehicles or other means of conveyance which are carried as a load in different paragraphs, at present RID contains a single paragraph from which, at first sight, it is not clear whether this exemption also applies to diesel fuel in locomotives.

The working group adopted a proposal from the OTIF Secretariat to align the structure of RID 1.1.3.3 with the structure of ADR. However, instead of the term "locomotive", the working group preferred the more general term of "railway vehicle" in order to cover other vehicles with their own means of traction (such as heavy oil fired steam locomotives, tractor cranes or track-laying machines).

Exemption of electric energy storage and generation systems

1.1.3 exempts various vehicle equipment components containing dangerous goods from the requirements of RID and ADR. The main components concerned are fuel tanks, lithium batteries and pressure receptacles for gases.

Other energy storage devices, such as metal hydride storage systems of UN number 3468, fuel cells of UN numbers 3473 and 3476 to 3479, electric double layer capacitors of UN number 3499 or the asymmetric capacitors of UN number 3508 that have now been included in the provisions for 2015 are not currently exempt from the requirements when they form part of the equipment of a means of transport.

The working group adopted a proposal submitted by Switzerland, which it had not been possible to deal with at the last RID/ADR/ADN Joint Meeting owing to the lack of time. The proposal was to extend the exemption for lithium batteries in 1.1.3.7 to other energy storage and generation devices. WP.15 also adopted this proposal. As in 1.1.3.3, the new term "railway vehicle" was also used in this subsection and a new paragraph (c) was included to cover vehicles carried as a load.

Transitional provisions for old gas tank-wagons

At the first session of the working group (Riga, 12 to 15 November 2012), a proposal from Germany was adopted, the purpose of which was to prohibit the open-ended continued use of gas tank-wagons built before 1 October 1978 which do not comply with the requirements in terms of their wall thickness and equipment. Most were in favour of a step-by-step approach, according to which the approximately 5000 gas tank-wagons still in service under the current transitional periods of 1.6.3.1 to 1.6.3.3 would be successively withdrawn from service on the basis of their age.

In a new document, the representative of France pointed out that this decision would mean that tank-wagons built before 1 January 1967 whose wall thickness does not meet the requirements of Chapter 6.8 would have to be withdrawn from service by 30 June 2015 at the latest. This placed an undue burden on wagon owners, as some of these wagons had been retrofitted with crash buffers and devices to protect against the overriding of buffers.

The working group adopted France's proposal to provide a transitional provision for these very old gas tank-wagons as well. The result is the following step-by-step withdrawal timetable:

- Built before 1 January 1965, continue in service until 31 December 2017, but only with agreement of competent authority of the country of registration;
- Built between 1 January 1965 and 31 December 1966, continue in service until 31 December 2019;
- Built between 1 January 1967 and 31 December 1970, continue in service until 31 December 2021;
- Built between 1 January 1971 and 31 December 1975, continue in service until 31 December 2025;
- Built between 1 January 1976 and 30 September 1978, continue in service until 31 December 2029.



Carriage of UN 1361 Carbon in bulk

The first and second sessions of the standing working group discussed the problem that various types of coal meet the classification criteria of Class 4.2 and must therefore be classified as dangerous goods. Classifying them as dangerous goods would rule out carriage in open wagons. Among other things, there was a discussion on the conditions that have to be met in order that transport in open wagons can continue to take place without having to determine the properties of the coal beforehand (see Bulletin 1/2014).

On 31 January 2014, another incident occurred in Heidelberg (Germany) involving a train load consignment of Colombian calentur coal. It was noticed that there was a fire smouldering in two open wagons which caused the external wall of one of the wagons to reach a temperature of 500 to 600 °C. The investigation authorities were of the view that the cause of the self-ignition was glowing embers which had not been noticed, despite the coal's having been monitored at the interim storage facility.

The findings from this incident were that effective temperature measurement has to be carried out during or immediately after loading so that the presence of any glowing embers can be detected.

In the end, the working group adopted a text for a new special provision in which the following points were taken into account:

- The new special provision will be assigned both to UN number 1361 CARBON, animal or vegetable origin and to UN number 3088 SELF-HEATING SOLID, ORGANIC, N.O.S.
- The temperature need not be measured when loading freshly extracted coal.
- When loading coal from a pile, it must be ensured by means of suitable measuring methods that at the time of loading, the temperature does not exceed 60 °C. This must be documented by the filler.

In the discussion, it was again made clear that coal, coke and anthracite should only be considered as dangerous goods if the classification criteria of Class 4.2, packing group III are met. It was also emphasised that the incidents that had taken place up to now had only involved imported coal and not freshly extracted European coal.

Based on the text adopted by the working group, Germany initiated multilateral special agreement RID 4/2014 (see www.otif.org → Dangerous Goods → RID References on the OTIF website → 1.5.1.1: Temporary derogations (multilateral special agreements)), which makes it possible to apply this special provision straight away.

Entity in Charge of Maintenance (ECM)

According to 1.4.3.5 (b), the tank-wagon operator must ensure that the maintenance of tanks and their equipment is carried out in such a way as to ensure that, under normal operating conditions, the tank-wagon satisfies the requirements of RID until the next inspection. However, in the European legislation, this is the responsibility of the entity in charge of maintenance (ECM).

In order to resolve this contradiction for the time being, a reference to the entity in charge of maintenance was included in 1.4.3.6 (b) at the suggestion of UIC.

However, the working group agreed that further work was necessary in order to incorporate the entity in charge of maintenance into RID as a new participant in the carriage of dangerous goods.

Language regime for consignments into or through the territory of an SMGS Contracting State

In various places, RID contains provisions concerning the languages to be used in connection with the marking of packagings, overpacks, tank-wagons and tank-containers and the information prescribed in the transport document and in the annexes to the transport document. These provisions mostly offer the possibility of choosing between English, French or German.

SMGS Annex 2, the dangerous goods regulations for Eastern Europe and Asia, also contains language rules in the same places, although in SMGS the languages used are Chinese or Russian.

In the context of the work on harmonising RID and SMGS Annex 2 more extensively, which was started last year, it was recognised fairly early on that a reference to the language regime of the other regulations in each case should be included to avoid having to affix new markings at the changeover point between the two legal regimes.

The working group was unanimously in favour of including a general provision in 1.1.4 (Applicability of other regulations) to make it mandatory on the one hand to use the languages prescribed in the other legal regime and on the other, to enable the States concerned in the transport operation to agree otherwise. As a result of the possibility of different agreements, it should for example be ensured that the agreement between Finland and the Russian Federation could still be used.

The Organization for Cooperation of Railways (OSJD), which is responsible for SMGS Annex 2, was also recommended to make the voluntary language regime it has adopted on a provisional basis mandatory (see Bulletin 1/2014).



Detection of derailments

A decision on the mandatory introduction of derailment detectors for dangerous goods tank-wagons was again deferred to the next biennium. Prior to this, the EU Member States had agreed in a decision of the Council of the European Union “to assess further, in the light of technical and scientific progress” the question of derailment detection and “to continue to work on the identification of a sustainable solution to detect derailments and mitigate their effects, including the future implementation of this solution”.

The working group decided to set up its own working group to discuss all the issues in connection with the introduction of derailment detectors. In the process, the findings of a European research project to reduce derailments and their consequences should also be taken into account.

RID Committee of Experts

On 22 May 2014, the 53rd session of the RID Committee of Experts was held directly after the meeting of the standing working group. The only task of the 53rd session was to approve the amendments proposed at the first (Riga, 12 to 15 November 2012), second (Copenhagen, 18 to 22 November 2013) and third sessions of the standing working group for a date of entry into force of 1 January 2015. The consolidated version of these approved amendments is published on OTIF's website (www.otif.org → Dangerous Goods → Notification texts).

Next session

The 4th session of the RID Committee of Experts' standing working group will provisionally be held from 17 to 20 November 2014 in Madrid.

Jochen Conrad / Katarina Guricová



25th Revision Committee

(Bern, 25-26 June 2014)

23 Member States of OTIF and the European Union took part in OTIF's 25th Revision Committee, which met in Berne with a quorum on 25 and 26 June 2014 at the Universal Postal Union building. The meeting dealt with amendments to COTIF and its appendices.

Thanks to the Secretariat's constant efforts, there was a quorum from the beginning of the Committee, which adopted the agenda and nominated Mr Marcel Hepp (Switzerland) to chair the session.

At the Revision Committee, the quorum varies from one agenda item to another, depending on whether it is for the adoption of the agenda, the election of the chairman, the amendment of COTIF or the amendment of the appendices to COTIF. While it is easier to reach a quorum for those appendices which come within the exclusive competence of the EU, this is not necessarily the case for the basic Convention or the appendices for which competence is shared between the EU and its Member States. Fortunately, the quorum for the latter was reached, as many States were either present or represented throughout the entire session, i.e. Algeria, Austria (representing Luxembourg and Portugal), Belgium (representing Latvia and the Netherlands), Germany (representing the Czech Republic and Hungary), France, Georgia, Norway (representing Finland and Lithuania), Serbia (representing Montenegro and Turkey), Spain (representing Poland and Slovakia) and Switzerland (representing Liechtenstein).

In addition to the European Union, several professional associations, such as CER, CIT, ATV, UIC, AEIP/IVA and UIP were also represented.

Setting up working groups to deal with legal issues

The Secretary General raised the question of setting up working groups to deal with legal issues. The current phase in which the EU has acceded to COTIF is a good time to bring the various appendices to COTIF, including the so-called legal appendices, into line with developments in EU law. As the Revision Committee does not meet as frequently as the technical or RID committees, the possibility of setting up working groups to deal with legal issues, with a suitable language regime, should be permitted.

In future, it will also have to be borne in mind that this time, the EU had managed to adopt a Council Decision establishing the EU position to be represented at the meeting only 2 months from receipt of the documents, but this might be difficult in the future. It had taken almost 5 months to adopt the Council Decision on the EU position on the amendment of RID. In this case, OTIF's well-established system of preparatory meetings for these amendments had greatly helped the EU to start the process of preparing the Council Decision early enough. The EU was therefore of the view that a similar system of preparatory working groups or the receipt of documents at an earlier stage could contribute to the successful conclusion of the negotiations necessary

within the EU to arrive at an EU position.

The Revision Committee acknowledged that there were two sorts of working group:

- those set up on the initiative of the Revision Committee, to which the Revision Committee's Rules of Procedure would apply by analogy, such as the working group set up by the Revision Committee to revise the CIM UR. The Revision Committee would approve the proposals from this working group using the written procedure so that the revision of CIM could be dealt with at the next General Assembly.
- those set up by the Secretary General to clarify the decisions to be taken and to enable a consensus to be reached on an issue or to obtain the opinion of the majority of participants if there is no consensus. The working group set up to revise CUI is in the second category. He would prepare a proposal for the next session of the Revision Committee.

The Revision Committee reached the conclusion that the Secretary General was free to set up working groups on his own initiative and apply the rules he thought prudent and useful to ensure that the work is carried out efficiently.

Amendments to the Convention

The first important point of the session was to approve certain amendments to COTIF. The Secretariat of OTIF had proposed to amend Articles 3, 12, 14, 15, 20, 24, 25, 26 and 27, but only the amendment of Article 27 came within the Revision Committee's competence.

Since 2012, the auditor had recommended that OTIF should "do what is necessary to initiate the process of reform of this provision of COTIF so that Art. 27 of COTIF only contains the general elements of the audit of the accounts", and to deal with the auditors' tasks in detail in the Organisation's Finance and Accounts Rules.

It was in response to this recommendation that the Secretariat had proposed to amend Article 27 of COTIF: in future, these provisions would guarantee the auditors' power of scrutiny in its entirety, in accordance with the international standards in force.

This amendment was adopted. With regard to the other amendments to COTIF proposed by the Secretary General, which were mostly editorial, the Committee approved them and they will be submitted to the next General Assembly for adoption.

The most important amendment concerned Article 25 and also followed up a recommendation by the auditors: the Secretariat proposed to return to an annual presentation of the budget, the accounts and the Annual Report, which reflected current practice.



Amendment of the CUV Uniform Rules

With regard to the appendices to COTIF, the Revision Committee adopted the amendment to Article 2 of the Uniform Rules concerning the Contract of Use of Vehicles in International Rail Traffic (CUV), Appendix D to the Convention, to include in the legal text a new definition of “keeper” to align it as much as possible with the definition used in Directive 2008/1110/EC, which has been taken over into the ATMF UR, taking into account the particular features of the CUV UR.

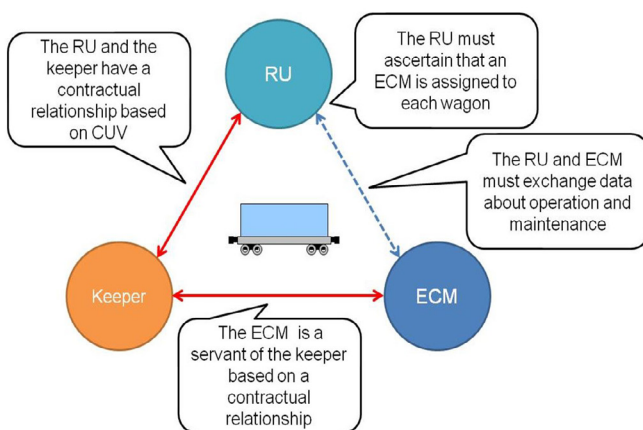
The Revision Committee also adopted an amendment to Article 9 of the CUV to include the entity in charge of maintenance as a person whose services the keeper makes use of to carry out the contract.

This important amendment will be submitted to the General Assembly in September 2015.

In July 2013, the Secretariat of OTIF had already started considering the need to deal at legislative level, in the CUV UR, with the rights and obligations of the parties to the contract of use of wagons for wagon maintenance. As shown in the diagram below, the particular feature in the carriage of goods is that the wagons support significant international traffic in which a keeper (who may be a rail transport undertaking or its subsidiary) entrusts a rail transport operation with the operation of his wagons. Therefore, the keeper’s specific responsibilities must be particularly clear in OTIF law, as it is the keeper who must provide the direct link to the ECM, whether he decides to be an ECM himself or whether he chooses to sub-contract.

The function of entity in charge of maintenance (ECM) has been enacted in annex A to the ATMF UR, which transposes the ECM Regulation into OTIF law. The purpose of the amendments to the CUV UR concerning ECMs is therefore to help support the sector in implementing more detailed provisions, as the amendments proposed only provide a general framework.

Figure 1: Keeper – The relationship with the ECM will be formalised



The main contribution of the revision is a new paragraph 3 of Article 9, which says:

- a. In § 1, that the keeper assumes his obligations in respect of the maintenance of the wagon under the contract of use in international traffic by having recourse to an ECM, which is his servant in line with the model of § 2 of Article 9, which deals with the infrastructure manager.
- b. In § 2, that the contract of use organises the exchanges of information required by Article 15 § 3 of the ATMF UR and by Article 5 of Annex A to the ATMF UR. It is essential that the CUV UR can enable clear identification of the role and mutual obligations of the actors, either within the framework of bilateral contracts, or in the framework of multilateral contracts, such as the GCU (General Contract of Use for Wagons).

Development of the CIM Uniform Rules

The aim of the proposed modernisation of some of the Articles in the Uniform Rules concerning the Contract of International Carriage of Goods by Rail (CIM), Appendix B to the Convention, was to introduce a new Article 6a into CIM to give priority to the electronic consignment note. Unfortunately, it was not possible to achieve this as the European Union was concerned that the adoption of this amendment could have “undesirable consequences”, given that the provisions of the European Union’s Customs Code relating to electronic transport documents would not enter into force before May 2016.

The Revision Committee therefore decided to defer all the proposals to amend CIM and to set up a Revision Committee working group, which will be responsible for preparing these proposals in cooperation with the EU so that they can be submitted to the next General Assembly.

Amendment of the CUI Uniform Rules

With regard to the proposal to amend the Uniform Rules concerning the Contract of Use of Infrastructure in International Rail Traffic (CUI), Appendix E to the Convention, the Committee approved some editorial amendments to Article 5 bis and the term “European Communities” was replaced by “European Union” to take account of the entry into force of the Lisbon Treaty.

The Revision Committee also supported setting up a Secretary General’s working group to propose amendments to the CUI UR, together with the European Union and the International Rail Transport Committee (CIT) in particular.

Revision of the ATMF and APTU Uniform Rules

The Revision Committee adopted all the proposals to amend the Uniform Rules concerning the Technical Admission of Railway Material used in International Traffic (ATMF), Appendix G to COTIF, in accordance with the texts proposed by OTIF’s Committee of Technical Experts.



The conclusions of the ad-hoc safety subgroup approved by the Committee of Technical Experts in June 2014 were the motivating factor for the revision of ATMF. The subgroup's discussions resulted in a draft new Article 15a on the composition and operation of trains, and an amendment to Article 17 § 1 on the immobilisation and rejection of vehicles.

In addition, ATMF was adapted to recent developments in European Union regulations. Compared with the 2011 version, the revised version of ATMF aims to outline more clearly the functions of and mutual relations between:

- Contracting States,
- competent authorities,
- assessment bodies.

The 2011 version of ATMF used different terms for the same concept, such as “bodies recognised as suitable”, “bodies”, “authority carrying out technical admission”, “bodies responsible for carrying out assessments” and “assessing entity”. As far as possible, these terms have been replaced by “competent authority” or “assessment body”.

In order to harmonise with the terminology used by the European Union and in other OTIF texts, the term “entité en charge de la maintenance”/“ECM” in the French version has been replaced by “entité chargée de l’entretien”/“ECE”, “fichier technique” has been replaced by “dossier technique” and “fichier de maintenance” has been replaced by “dossier de maintenance”.

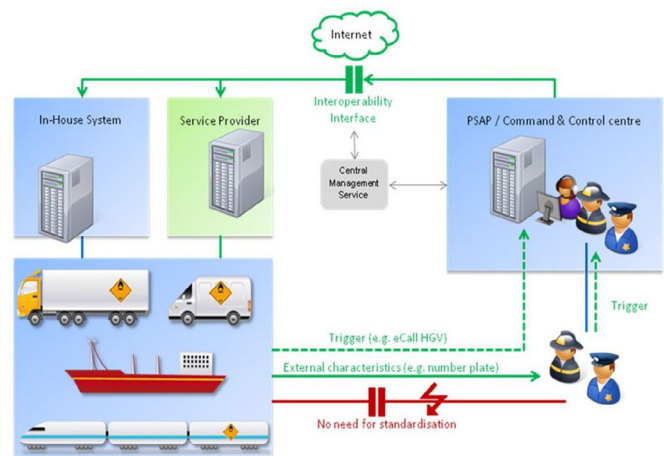
The Revision Committee also approved the partial revision of Appendix F concerning the validation of technical standards and the adoption of Uniform Technical Prescriptions applicable to Railway Material intended to be used in International Traffic (APTU UR) to take account of the latest amendments to the ATMF UR, and hence to maintain consistency following the complete revision of Appendix G.

The article by Mr Leermakers on p.p. 9-10 of this Bulletin gives details of these amendments, which were discussed and adopted by CTE before the Revision Committee and taken over without being changed.

Other information

The Revision Committee also noted the information provided in respect of electronic documents for the carriage of dangerous goods, the work of the RID Committee of Experts and the RID/ADR/ADN Joint Meeting's decisions of principle concerning the system architecture for the use of electronic transport documents and to improve the handling of emergencies in the carriage of dangerous goods.

Figure 2: Architecture of the electronic data transmission system



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.

The Revision Committee also took a number of decisions concerning the development of its own internal standards. The Secretary General was mandated to submit proposals to the next session of the Revision Committee to amend its Rules of Procedure in terms of the language regime issue and to propose provisions for the case where certain deadlines are not met.

Lastly, the Secretary General was also mandated to consolidate and update the Explanatory Report and to make the necessary editorial amendments to COTIF and its Appendices.

In accordance with Article 35 § 2 of COTIF, the amendments to the Convention and its Appendices adopted by the Revision Committee will enter into force for all the Member States on the first day of the twelfth month following that during which the Secretary General has given notice of them to the Member States, i.e. on 1 July 2015, as the Secretary General notified the Member States of the amendments on 10 July 2014.

Carlos del Olmo



Updates to the CIV/CIM lists of railway lines, maritime and inland waterway services

CIV/CIM Lists of railway Lines:

None

CIV/CIM Lists of maritime and inland waterway services:

None

See www.otif.org, under "Publications".

At a glance

For a brief overview of the geography of the maritime and inland waterway services...

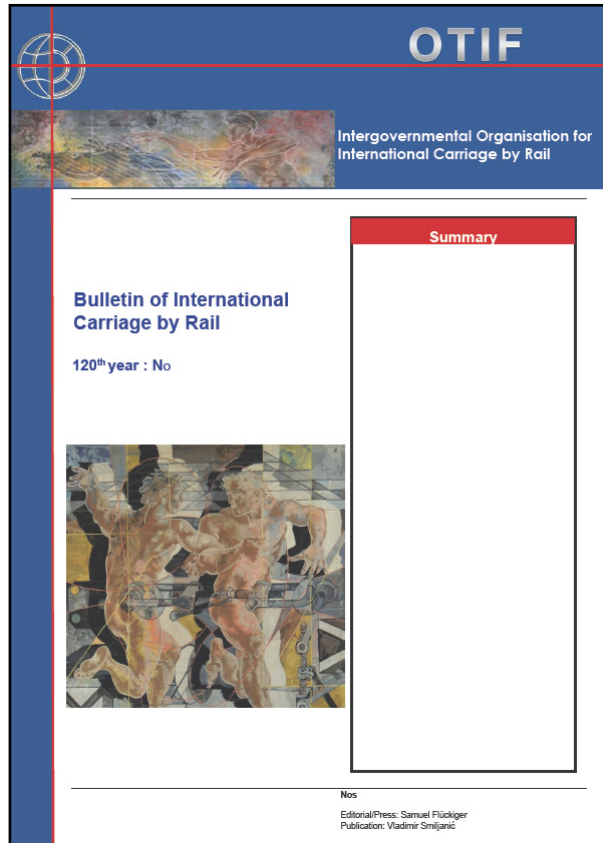
for CIV [Click here!](#) @

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Ayoub Elkaroubi



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The Bulletin editor