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Economic Commission for Europe**Inland Transport Committee****Working Party on Rail Transport****Group of Experts towards Unified Railway Law****Seventeenth session**

Geneva, 9-11 July 2018

Item 4 of the provisional agenda

The Group of Experts: Adoption of the work plan**Revised Work Plan of the Group of Experts towards Unified Railway Law****Note by the secretariat****I. Work Plan****A. Objectives of work**

1. In line with the Joint Declaration on Euro-Asian Rail Transport and Activities towards Unified Railway Law, signed at the ECE Ministerial Meeting “Making the Euro-Asian Transport Network Operational” on 26 February 2013, as well as with the draft legal provisions towards Unified Railway Law (URL) prepared by the Group of Experts, the Group during this phase will focus its work on the following issues:

- (a) Monitor the finalization of necessary documents in order to perform international rail transport under URL including a standard model for the consignment note for the new provisions and its manual;
- (b) Monitor the performance of a substantial number of real pilot tests to be carried out by the railway companies involved in the Group along the corridors agreed and along other corridors if proposed by governments in order to ensure the operational validity and effectiveness of the legal provisions prepared;
- (c) Draft a document (or systems of documents) on URL which could be adopted as a legally binding instrument; the document (or systems of documents) shall:
 - (i) Take into account the draft legal provisions on the contract of carriage already prepared;

- (ii) Include the necessary formal provisions such as depository, management, secretariat, administrative committee, amending procedures, voting rights, etc.;
 - (iii) Be structured in a way which allows to easily supplement it with provisions on other issues related to international rail freight transport where the Group considers it appropriate to do so.
 - (d) Discuss other relevant issues related to international rail freight transport with a view to adding, where appropriate, provisions to the document referred to at (c); these issues may include:
 - (i) Common provisions on dangerous goods;
 - (ii) Common provisions on the use of freight wagons;
 - (iii) Common provisions on rail infrastructure;
 - (iv) Common provisions on rolling stock.
2. The UNECE secretariat should ensure close cooperation with the European Commission, the International Rail Transport Committee (CIT), Organization for Cooperation between Railways (OSJD) and Intergovernmental Organization for International Carriage by Rail as well as with the other concerned regional commissions of the United Nations, particularly with the Economic and Social Commission for Asia and the Pacific.
3. Section B of this document describes the activities which should take place at each meeting. Section C sets out in detail the work to be carried out and the Expert Group members responsible.

B. Activities

4. At its seventeenth session, the Group of Experts will undertake the following tasks:
- (a) Adopt its work plan (objectives, activities, time schedule);
 - (b) Monitor the finalization of necessary documents:
 - (i) Monitor the preparation of the standard model for the consignment note (discuss and if possible agree on a list of amendments that should be made to the current common CIM-SMGS consignment note in order to prepare a standard model for the consignment note that fully accommodates the requirements of the draft legal provisions as well as on the structure of the manual of the standard model for the consignment note);
 - (ii) Monitor the preparation of all necessary documents required (discuss and if possible agree on the list of documents required).
 - (c) Monitor the performance of a substantial number of real pilot tests:
 - (i) Discuss and determine the main obstacles towards the performance of a number of real pilot tests;
 - (ii) Schedule the realization of real pilot tests.
 - (d) Draft a document (or systems of documents) on URL which could be adopted as a legally binding instrument:
 - (i) Discuss on the determination of the type of document or systems of documents which could be adopted as a legally binding instrument.
5. At its eighteenth session, the Group of Experts will undertake the following tasks:

- (a) Monitor the finalization of necessary documents:
 - (i) Monitor and discuss the first draft of the standard model for the consignment note prepared including the structure of its manual;
 - (ii) Monitor and discuss the first drafts of all the necessary documents required.
 - (b) Monitor the performance of a substantial number of real pilot tests:
 - (i) Monitor the removal of the identified obstacles, in particular as regards domestic procedures to be implemented by the relevant governments and railway undertakings to allow the performance of a series of pilot tests;
 - (ii) Determine the corridors on which real pilot tests would be performed and agree on the parameters of the tests;
 - (iii) Discuss the results - if any - of the first real pilot tests undertaken and discuss the schedule for the realization of additional real pilot tests.
 - (c) Draft a document (or systems of documents) on URL which could be adopted as a legally binding instrument:
 - (i) Discuss and comment on the working document prepared by the secretariat on the different options for converting URL into a legally binding instrument and for the corresponding management systems.
 - (ii) Discuss the list of the necessary formal provisions that should be included in the legally binding instrument; preliminary exchange of views on possible formal provisions especially for those related to the secretariat and the management;
 - (d) Discuss other relevant issues related to international rail freight transport:
 - (i) Discuss relevant issues related to international rail freight transport.
6. At its nineteenth session, the Group of Experts will undertake the following tasks:
- (a) Monitor the finalization of necessary documents:
 - (i) monitor and discuss the second draft of the standard model for the consignment note prepared including the draft content of its manual;
 - (ii) monitor and discuss the second drafts of all the necessary documents required.
 - (b) Monitor the performance of a substantial number of real pilot tests:
 - (i) discuss the results of the first real pilot tests undertaken and prepare recommendations accordingly;
 - (ii) consider the schedule of additional pilot tests, as appropriate, to further improve experience and raise awareness of URL amongst participating countries.
 - (c) Draft a document (or systems of documents) on URL which could be adopted as a legally binding instrument:
 - (i) discuss and comment on the working document prepared by the secretariat on the necessary formal provisions that should be included in the legally binding instrument including its management;

- (d) Discuss other relevant issues related to international rail freight transport:
 - (i) Discuss and comment on the working document prepared by the secretariat on relevant issues related to international rail freight transport and identify opportunities and challenges for possible inclusion in the scope of URL.
- 7. At its twentieth session, the Group of Experts will undertake the following tasks:
 - (a) Monitor the finalization of necessary documents:
 - (i) Monitor and discuss the final draft of the standard model for the consignment note prepared including the final draft content of its manual;
 - (ii) Monitor and discuss the final drafts of all the necessary documents required.
 - (b) Monitor the performance of a substantial number of real pilot tests:
 - (i) Discuss the results of the real pilot tests undertaken and preparerecommendations accordingly.
 - (c) Draft a document (or systems of documents) on URL which could be adopted as a legally binding instrument:
 - (i) Discuss and comment on the draft document or system of documents prepared by the secretariat.
 - (d) Discuss other relevant issues related to international rail freight transport:
 - (i) Discuss and comment on the updated, based on comments received, working document prepared by the secretariat on relevant issues related to international rail freight transport and prepare recommendations accordingly.
- 8. At its twenty-first session, the Group of Experts will undertake the following tasks:
 - (a) Monitor the finalization of necessary documents:
 - (i) Finalize and agree on the standard model for the consignment note prepared including its manual;
 - (ii) Finalize and agree on the necessary documents required.
 - (b) Monitor the performance of a substantial number of real pilot tests:
 - (i) Finalize the results of the real pilot tests undertaken and prepare final recommendations.
 - (c) Draft a document (or systems of documents) on URL which could be adopted as a legally binding instrument:
 - (i) Agree and finalize the document or system of documents prepared by the secretariat and the Group of Experts which could be adopted as a legally binding instrument.
 - (d) Discuss other relevant issues related to international rail freight transport:
 - (i) Agree on final recommendations and where appropriate on a list of provisions

C. Action Plan and Time schedule

Steps	17th session 9-11 July 2018	Work between the seventeenth and the eighteenth session	18th session 29-31 October 2018	Work between the eighteenth and the nineteenth session	19th session 2-4 April 2019	Work between the nineteenth and the twentieth session	20th session 25-27 June 2019	Work between the twentieth and the twenty-first session	21st session 16-18 October 2019
Step 1 Monitor the finalisation of documents	DB/PKP/RZD should finalise the ad hoc URL Consignment Note (C.N.) to be used for pilot tests	To finalise the ad hoc URL C.N. to be used for pilot tests (responsible: DB/PKP/RzD)	GoE should monitor the finalization of the documents DB/PKP/RZD should disseminate final version of ad hoc C.N. and other ad hoc relevant documents as appropriate CIT/OSJD*/Rail ways to name other relevant documents to be used and how to adapt them to URL needs Formal invitation to OSJD to work towards the finalization of documents (OSJD ministerial conference)		GoE should monitor the finalization of the documents Other relevant documents to be prepared (progress) Report challenges /difficulties from the application of C.N. during the pilot tests		GoE should monitor the finalization of the documents Progress report on CIT/OSJD cooperation on finalising URL C.N. Other relevant documents to be prepared (progress) discuss and agree on adjustments necessary to the documents in the light of the results of real pilot tests (responsible: DB/PKP/RzD, CIT, OSJD), presentation of the state of play of the adoption of the necessary documents for the permanent use of URL in SMGS countries (responsible: OSJD)	1. Agree on the final versions of the necessary documents (responsible - DB/PKP/RzD, CIT, OSJD)	Final Consignment Note for URL Final manual of Consignment Note Final other documents: report on the state of play, in particular in SMGS countries (responsible: secretariat, OSJD); presentation of the final versions of the necessary documents (responsible: DB/PKP/RzD, CIT, OSJD)

* OSJD participation pending relevant decision by OSJD management.

Step 2 Monitor of real pilot tests	Obstacles	Where applicable	Detailed	Perform real	Report on	Perform	Preparation of	2. Implement	Final
	identification to perform real pilot tests: C.N.; and decision by SMGS States to allow temporary use of URL for pilot tests.	initiate domestic procedures necessary to allow the performance of a substantial number of real pilot tests with URL being applied in a legally binding manner; keep secretariat informed about state of play (responsible: governments/railway undertakings prospectively participating in real pilot tests)	presentation of, where applicable, the state of play of domestic procedures necessary to allow the performance of a substantial number of real pilot tests with URL being applied in a legally binding manner (responsible: governments/railway undertakings prospectively participating in real pilot tests)	pilot tests on the corridors and in accordance with the parameters agreed at the 18th session (responsible: railway undertakings)	performance of pilot tests / presentation of the experience gained from the real pilot tests performed since the 18th session (responsible: railway undertakings)	further real pilot tests (responsible: railway undertakings)	recommendations for the legally binding document based on the performance reports of real pilot tests Presentation of the evaluation and possible adjustments to the URL (responsible: secretariat) Discuss the proposals made as regards adjustments to the URL and agree on the way forward	results as regards “adjustments in the light of experience of real pilot tests”, “draft a document” and “other issues” (responsible: secretariat)	recommendations for the legally binding document based on the performance reports of real pilot tests. Presentation of the overall experience, impacts, challenges and benefits of the URL (responsible: railways)
	Identification of corridors to perform real pilot tests: <i>Germany – Poland – Belarus – Russia</i> (Belarus participation should be encouraged); <i>Azerbaijan – Georgia – Turkey</i> (Georgian railways should be informed); <i>Turkmenistan – Iran – Turkey</i> (Turkmen railways should be informed); <i>China – Austria</i> (Participation of Austrian railways should be warranted)	Where applicable initiate domestic procedures necessary to allow the performance of a substantial number of real pilot tests with URL being applied in a legally binding manner; keep secretariat informed about state of play (responsible: governments/railway undertakings prospectively participating in real pilot tests)	Detailed presentation of, where applicable, the state of play of domestic procedures necessary to allow the performance of a substantial number of real pilot tests with URL being applied in a legally binding manner (responsible: governments/railway undertakings prospectively participating in real pilot tests)	Perform real pilot tests on the corridors and in accordance with the parameters agreed at the 18th session (responsible: railway undertakings)	Report on performance of pilot tests / presentation of the experience gained from the real pilot tests performed since the 18th session (responsible: railway undertakings)	Perform further real pilot tests (responsible: railway undertakings)	Preparation of recommendations for the legally binding document based on the performance reports of real pilot tests Presentation of the evaluation and possible adjustments to the URL (responsible: secretariat) Discuss the proposals made as regards adjustments to the URL and agree on the way forward	2. Implement results as regards “adjustments in the light of experience of real pilot tests”, “draft a document” and “other issues” (responsible: secretariat)	Final recommendations for the legally binding document based on the performance reports of real pilot tests. Presentation of the overall experience, impacts, challenges and benefits of the URL (responsible: railways)

<i>Steps</i>	<i>Actions</i>	<i>17th session 9-11 July 2018</i>	<i>Work between the seventeenth and the eighteenth session</i>	<i>18th session 29-31 October 2018</i>	<i>Work between the eighteenth and the nineteenth session</i>	<i>19th session 2-4 April 2019</i>	<i>Work between the nineteenth and the twentieth session</i>	<i>20th session 25-27 June 2019</i>	<i>Work between the twentieth and the twenty-first session</i>	<i>21st session 16-18 October 2019</i>
Step 3	Prepare legal instrument on URL	Inventory of possible types of instruments + scoping discussion on possible management system for URL	Prepare decision about the corridors on which real pilot tests would be performed by approaching possibly interested counties (such as BLR, GEO, TKM; responsible: secretariat)	Selection of relevant instrument to be developed + agreement on principle for management system + outline of basic legal architecture, + consideration of issues related to Articles 32, 33 and 34 of the draft URL Legal Provisions and related to using a formal report with regard to Article 28 “Notice of damage” Agree on a way forward as regards the drafting of legal provisions	Implement the results as regards “draft a document” and “other issues” (e.g. drafting of the necessary legal provisions; preparation of a workshop; responsible: secretariat)	Discussion on the draft legally binding document / exchange of views on adjustments of the URL text and/or the necessary documents in the light of the experience of the real pilot tests and agree on the way forward Discuss the information provided by the secretariat (e.g. draft legal provisions) Agree on the way forward	Evaluate the results of the pilot tests and the results of the exchange of views at the 19th session; if appropriate prepare adjustments to the URL text and/or the necessary documents (responsible: secretariat; DB/PKP/RzD, CIT, OSJD)	Finalization of the legally binding document: Discuss the information provided by the secretariat (e.g. draft legal provisions); Agree on the way forward	3. Prepare the draft report of the Expert Group to SC.2 possibly including future Terms of Reference (responsible - secretariat)	Final legally binding document Adopt a document which includes: Adjustments deemed necessary in the light of the experience gained from the real pilot tests; Necessary formal provisions and a management system; Provisions on other issues relevant to international freight transport where found appropriate
Step 4	Discussion on other relevant Issues			Scoping discussion Planning of a workshop?		Identification of opportunities and challenges Workshop results?	Implement results as regards “draft a document” and “other issues	Identification of opportunities and challenges and preparation of recommendations		Final list of recommendations and where appropriate list of provisions

		<i>17th session</i>	<i>Work between the seventeenth and the eighteenth session</i>	<i>18th session</i>	<i>Work between the eighteenth and the nineteenth session</i>	<i>19th session</i>	<i>Work between the nineteenth and the twentieth session</i>	<i>20th session</i>	<i>Work between the twentieth and the twenty-first session</i>	<i>21st session</i>
<i>Steps</i>	<i>Actions</i>	9-11 July 2018		29-31 October 2018		2-4 April 2019		25-27 June 2019		16-18 October 2019
						Discuss the results of the activities undertaken so far (e.g. results of a workshop)		Discuss the state of play, in particular the work of the secretariat undertaken since the last session;		Discuss the overall impact which the inclusion of other issues in the URL will have as compared to the existing legal situation
						Agree on the way forward (e.g. which issues to examine in more depth)		Agree on the way forward review the work undertaken and the results achieved thus far with a view to giving guidance to the secretariat for preparing the draft report to SC.2 including, if appropriate, future Terms of Reference		Discuss and adopt the report to SC.2 including, if necessary, a proposal for future Terms of Reference of the Group