

A Railway Advisory Group fit for the future!

A new Memorandum of Understanding to govern the Railway Undertaking Advisory Group

The webinar starts at 11 o'clock



HOUSE RULES

The webinar is being recorded. The Q & A will start after each presentation / topic. Please raise your hand and the host will invite you to speak. Thank you for your cooperation!

Today's program

- 1. Welcome to UIC Freight
- 2. Introduction to Corridor legal landscape
- 3. Goals and general benefits of MoU
- 4. Clarifications since webinar
- 5. Implementation
- 6. Key points of MoU
- 7. Q&A

Today's speakers

Paul Hodgson, co-RAG Speaker RFC North-Sea – Rhine – Mediterranean Senior Business Manager CFL cargo S.A.

Sandra Kuhlmann, co-RAG Speaker RFC North-Sea – Rhine – Mediterranean
Partner Management Infrastructure
DB Cargo AG

Andrea M. Penso, RAG Speaker RFC Scandinavian – Mediterranean

Partner Management Infrastructure

Partner Management Intrastructure
DB Cargo AG

Damjan Rak, RAG Speaker RFC Baltic – Adriatic

Analyst operational planning and production Rail Cargo Carrier Slovenija

Joost Overdijkink, coordinator RAG Speakers

Senior Advisor Freight
International Union of Railways UIC

Philip Van den bosch, PM Combined Transport Group

Special Advisor UIC Freight Director, PM Quality Study Group International Union of Railways UIC



UIC Freight – The competence center overview



ABOUT ~

ACTIVITIES ~

REGIONS ~

PRODUCTS & SERVICES ~

Q



WAGON UTILISATION

Wagons are a key asset in rail freight transport. UIC works in this area to ensure the interoperability, availability, and easy and safe hand over of wagons, which has a direct impact on operational capacity and overall cost. Read more...

ATTI Corrective Maintenance / Restoring fitness to run GCU
Technical Transfer Inspection Wagon Damage Settlement
Wagon Utilisation

LOAD SAFETY

The safety of goods is pivotal in rail freight transport. Hence, UIC has produced Loading Guidelines to clearly outline the key principles and technical recommendations for loading methods, which will ensure that goods reach the intended destination (...) Read more...

FIT FOR FREIGHT

The UIC Fit for Freight webinars are designed to showcase best practices, highlight the daily use of UIC assets, and explain how UIC's work contributes to the benefit of the rail sector. They also support railway professionals and newcomers in (...) Read more...

CORRIDOR DEVELOPMENT

The development of intercontinental rail freight corridors opens extremely promising perspectives to the growth of rail transportation over long distance, as an alternative to other modes - martime or road transport - or as an effective partner in (...) Readmark

ECCO Freight Forwarders

COMBINED TRANSPORT

Combined transport (CT) is key to achieve a carbon neutral transport sector in the context of the European Green Deal. Combined Transport, presenting a range of benefits, contributes towards a better quality of life and proposes a seamless transport (...) Read more...

RAIL FREIGHT FORWARD

Rail Freight Forward is a coalition of European rail freight companies that are committed to drastically reduce the negative impact of freight transport on the planet and mobility, through innovation and a more intelligent transport mix. UIC Freight (...) Read more...

DANGEROUS GOODS

The transport of dangerous goods is subject to specific regulatory measures stipulated by the competent international, European, or national authorities, as well as certain measures taken by companies themselves. Dangerous goods safety on the railways (...) Read more...

TRAIN OPERATION

Harmonisation is the basis for a seamless international and border crossing freight traffic. UIC facilitates best practice sharing to ensure interoperability as well as increase commercial speed of train traffic. Key part of this competence centre is (...) Read more...

Audit4All Exceptional Consignments Operations Quality XBorder

DATA EXCHANGE

Digitalisation is key tool to facilitate business growth, reduce future costs and miltigate errors. UIC manages and develops a broad portfolio of transversal digital solutions, enabling efficient data exchange between supply chain partners. At utmost (...) Read more...

Border Points Coding DIUM & UIC ATLAS DIUM/NHM

HERMES 30 - GRU IT working group NHM RailData UIC ATLAS





Corridor Development Europe



Old:
REGULATION (EU)
2013/1315 OF THE
EUROPEAN PARLIAMENT
AND OF THE COUNCIL
on Union guidelines for
the development of the
trans-European
transport network

TEN-T corridors =
Trans-European Network
Transport Corridors

Old:
REGULATION (EU)
2013/1315 OF THE
EUROPEAN
PARLIAMENT AND OF
THE COUNCIL
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for the development
of the transEuropean transport
network

TEN-T corridors =
Trans-European Network
Transport Corridors

Old:
REGULATION (EU)
2010/913 OF THE
EUROPEAN PARLIAMENT
AND OF THE COUNCIL
on the establishment of
Rail Freight Corridors

RFC

New 18th July 2024
REGULATION (EU)
2024/1679 OF THE
EUROPEAN PARLIAMENT
AND OF THE COUNCIL
on Union guidelines for
the development of the
trans-European
transport network

TEN-T corridors = European
Transport Corridors (ETC)

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REGULATION (EU)
2024/1679 OF THE
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THE COUNCIL
on Union guidelines
for the development
of the trans-European
transport network

PROPOSAL

FOR A REGULATION OF

THE EUROPEAN

PARLIAMENT AND OF

THE COUNCIL

on the use of railway
infrastructure capacity

Amended
REGULATION (EU)
2010/913 OF THE
EUROPEAN PARLIAMENT
AND OF THE COUNCIL
on Rail Freight Corridors

TEN-T corridors = European
Transport Corridors (ETC)

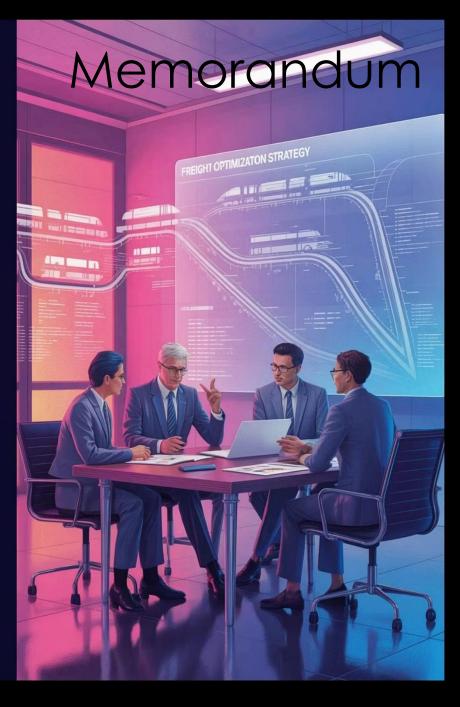
Capacity, TCR
Commercial Conditions

RFC

What does that mean for RUs?

- Capacity Regulation takes over from the RFC the tasks related to capacity.
- RFC regulation is amended by TEN-T (those amendments are now in force)
- RFC regulation is amended by Capacity Regulation. Not yet in force, due to the ongoing negotiations about the regulation between EU Commission, EU Parliament and EU Council of Ministers.
- Non-capacity RFC tasks will remain until 2030.
- > After 2030, RFCs disappear legally, so uncertain who takes on tasks.
- > RAG will push for continuation of tasks after 2030 in a new 'home'.

Questions?



of Understanding: WHY?

Railway Undertaking Advisory Group (RAG) Memorandum of Understanding

This memorandum outlines the work relationship between Railway Undertakings in the RAG of Rail Freight Corridors.

Goals

- > Strengthen the voice of rail freight:
 - ✓ Clear who supports positions and decisions (by naming the single RUs)
 - ✓ Clear rules for setting up a RAG position
 - ✓ Defined rights and obligations of the RAG speaker towards RAG members, Management Board, Executive Board, Corridor Office and other parties

Benefits

- > Motivate RUs to get involved and to contribute through:
 - ✓ Transparency about possibilities to contribute
 - ✓ Opportunity to give input in uncomplicated, time-saving way
 - ✓ Clarity on how the representation works,
 - ✓ Being assured that own opinion is taken into consideration



RAG access

MoU = voluntary (art.3f)

✓ RUs that reject MoU can take part in RAG meetings organised by RFC and put forward their interests to Management and Executive Board themselves.

Corridor remain events open to all (art.4a)

✓ RUs that reject MoU not invited to RU-internal RAG-Meetings



Documentation, meetings

Incentivise RFC to be transparent and inclusive (art.4¢+d)

- ✓ Provide documentation in time and in format technically readable by all RUs.
- ✓ Publish meeting dates to ensure transparency.
- ✓ Publish minutes of RAG within four weeks.



Voting, consultation

Voting rules tailored to small RAG (art.6e,g)

- ✓ Quorum relative to size of RAG and the number of independent RUs that are member of the RAG.
- ✓ Formal consultation: majority and minority positions reported anonymised, to assure transparency.



Speaker role

Speaker independence, neutrality, organisation (art.7c-f)

- ✓ Multiple RAG Speakers? Clear rules of contact for RFC organisation.
- ✓ RFC provides neutral Email address.
- Election for two years, according to standard vote procedure.
- ✓ Representative of an association can be elected RAG speaker, only member RU have voting rights.



Implementation

- > With support of RFC management
 - > Publication on RFC websites
- > Agreement by email confirmation



Speaker & RFC Managing Director

Questions?

Key points of MoU

Memorandum of Understanding between Railway Undertakings, setting out their work relationship in the Railway Advisory Group of the Rail Freight Corridor

RU-RU work relationship

- 1. The Railway Undertaking Advisory Group (RAG) is open to licensed freight Railway Undertakings (RUs) according to Regulation (EU) 2012/34 (art. 3) interested in the use of the Rail Freight Corridor (RFC).
- 2. Aim/task The RAG has the following responsibilities:
 - a. Develop a common position amongst the participating RUs operating freight trains, on any specific topic regarding the RFC.
 - b. Advising Infrastructure Managers (IMs), Ministries and EU Coordinator according to 2
 - c. Tasks based on Corridor Regulation (EU) 913/2010 as amended by the TEN-T Regulation (EU) 2024/1679, art. 67 and, in particular:
 - i. Art. 67(6.c.8) If deemed needed, issue an opinion on any proposal by the management board which has consequences for these undertakings. It may also issue own-initiative opinions.
 - ii. Art. 67(7): Submit an opinion on the consultation on the draft
 - iii. Art. 67(8): Submit a sufficiently justified opinion to the consultation on infrastructure development and investment needs
 - d. Tasks out of TEN-T regulation (EU) 2024/1679, in particular:
 - i. Input in the Corridor Forum for Rail Freight Governance (Art. 53(2))
 - ii. Consultation of the workplan of the Corridor Coordinator (Timeline: 2 years after the entry into force of the Regulation and then every four years) (Art.
 - iii. Cooperate closely with the European Coordinator to identify and prioritise investment needs for rail freight on the rail freight lines of the European Transport Corridors (Art. 52(6a))
 - iv. Cooperation with European Coordinator in monitoring administrative, operational and interoperability aspects of freight traffic on the rail freight lines of the European Transport Corridors, including monitoring the performance of rail freight services (Art. 52(6b))
 - e. Topics addressed by the RAG, such as:
 - i. TCR and affected traffic
 - ii. Operational and technical harmonisation
 - iii. Interoperability
 - iv. Implementation of TEN-T parameters

ngs, setting out their work relationship in

anagers (IM) of the RFC to introduce the Directive (EU) 2012/ b34 (art.3) by d its functions in the yearly customer

d its functions in the national Network

d its functions on the national IM

corridor organization to manage the as well as the contact details of the RAG

RAG speaker, who will make sure to add tions of the MoU.

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Page 2 of 4

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contacted, and the contacted RAG

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ected as RAG speaker, but only the

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RAG membership

Eligibility

Open to licensed freight Railway Undertakings (RUs) interested in Rail Freight Corridor use.

Joining Process

Interested RUs contact the RAG Speaker and/or Corridor manager to be added to the members list.

MoU

When joining, RUs are asked to accept the conditions of the MoU.

Acceptance MoU

Voluntary. RU accepts MoU by email confirmation to RAG Speaker and RFC Managing Director

RAG participation

Initiatives from RAG Speaker
Involves 'MoU' RUs and applicants only

Initiatives from Corridor
Involves all RUs and applicants

Guests

RAG can invite guests such as associations and passenger RUs.



RAG responsibilities

Develop Common Position

Create unified stance amongst RUs operating freight trains on RFC topics.

Advisory Role

Advise Infrastructure Managers, Ministries and EU Coordinator on rail freight matters.

Regulatory Tasks

Fulfill duties under EU Regulations 913/2010 and 2024/1679.

RAG Regulatory Tasks

Corridor Regulation Tasks

- □ Issue opinions on management board proposals
- ☐ Submit opinions on implementation plans
- ☐ Provide input on infrastructure development
- Monitor performance of rail freight services

TEN-T Regulation Tasks

- ☐ Input to Corridor Forum for Rail Freight Governance
- □ Consultation on Coordinator workplans
- □ Identify investment priorities

RAG meetings

Annual Meetings



All member RUs invited to internal RAG meetings at least once yearly

Documentation



IMs provide timely, readable documentation. Meeting dates made public for transparency

Other meetings

QCO, regional working groups and other meetings arranged as needed

Decision-Making Process Written **Process** Members receive No reaction topics with means minimum abstention two-week deadline Voting Proposals occurs in sent two meetings or weeks in in writing advance Meeting **Decisions**

Voting Rights and Procedures

One Vote Per RU

Each RU gets one vote, not weighted by company size

Simple Majority

Decisions by simple majority of votes cast

Decision

Transparency

Majority & minority positions reported anonymously in forma consultations

Quorum Requirements

Minimum 3 votes from independent companies

RAG Speaker

Representation Structure

represents all Member-

Minority views must also S.p.o.c. appointed for

The RAG speaker Speaker can share workload with Deputy or RUs' opinions. Co-Speakers

be mentioned Executive& Management Boards

Tenure

Speakers are elected for two-year terms.

A representative from an association may be elected

Neutrality

RFC provides neutral email address to ensure speaker independence.

Questions?



- > Each RFC publishes on website.
- Request from RAG Speaker and RFC Managing Director for each RU to signup.
- 'Signing' by emailing to RAG Speaker and RFC Managing Director that RU agrees to adhere to MoU
- Signatory repository available at RFC management.

For further questions: Please go to your own RAG Speaker.



Autumn Days

Welcome to join us in November Days and topics to be confirmed



Stay in touch with UIC: www.uic.org











#UICrail

Thank you for your attention.



Article 1 of MoU (Target group)

The Railway Undertaking Advisory Group (RAG) is open to licensed freight railway undertakings (RU) according to Regulation (EU) 2012/34 (art. 3) interested in the use of the Rail Freight Corridor (RFC).

- Key points:
- □ <u>Licensed</u>
- □ <u>Freight</u>
- □ <u>Interested</u>



Article 2 of MoU (responsibilities)

- Aim/task The RAG has the following responsibilities:
 - a.Develop a common position amongst the participating RUs operating freight trains, on any specific topic regarding the RFC.
 - b.Advising IMs, Ministries and EU Coordinator according to 2 c, d and e.

- ☐ Any topic
- ☐ Initiative lies with RUs
- Direct access decision-makers responsible for corridor infrastructure

Article 2 of MoU (Freight corridor activities)

- c. Tasks based on Corridor Regulation (EU) 913/2010 as amended by the TEN-T Regulation (EU) 2024/1679, art. 67 and, in particular,
 - i. Art. 67(6.c.8): If deemed needed, issue an opinion on any proposal by the management board which has consequences for these undertakings. It may also issue own-initiative opinions.
 - ii. art. 67(7): Submit an opinion on the consultation on the draft implementation plan
 - iii.art. 67(8): Submit a sufficiently justified opinion to the consultation on infrastructure development and investment needs

- ☐ Sufficiently justified opinions
- □ <u>e.g. resolving operational issues together</u> with IMs

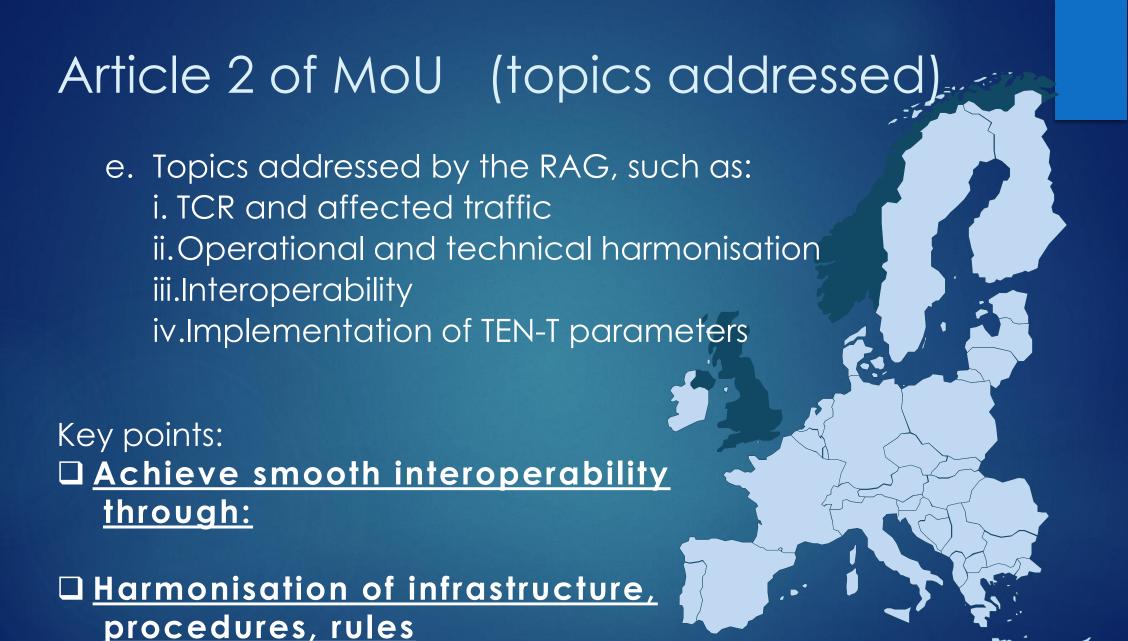
Article 2 of MoU (ETC activities)

- d. Tasks out of TEN-T regulation (EU) 2024/1679, in particular
 - i. Input in the Corridor Forum for Rail Freight Governance (Art. 53(2))
 - ii.Consultation of the workplan of the Corridor Coordinator (Timeline: 2 years after the entry into force of the Regulation and then every four years) (Art. 54)
 - iii.Cooperate closely with the European Coordinator to identify and prioritise investment needs for rail freight on the rail freight lines of the European Transport Corridors (Art. 52(6a))
 - iv.Cooperation with European Coordinator in monitoring administrative, operational and interoperability aspects of freight traffic on the rail freight lines of the European Transport Corridors, including monitoring the performance of rail freight services (Art. 52(6b))

Article 2 of MoU (ETC activities)

d. Tasks out of ETC regulation (EU) 2024/1679, in particular [...]

- ☐ Input to infrastructure investment planning
- Access to EU coordinator, who is responsible to push the EU Member States, Regulatory Bodies and Infrastructure Managers towards fulfilment of the requirements of the Single European Railway Area.



Article 3 of MoU (Reaching RUs)

Members – How to reach/involve all RUs?

- a.The RAG will incentivize the Infrastructure Managers (IM) of the RFC to introduce the RAG to all freight RUs licensed according to Directive (EU) 2012/34 (art.3) by
 - i. Including information on the RAG and its functions in the yearly customer information meetings
 - ii. Including information on the RAG and its functions in the national Network Statements
 - iii. Including information on the RAG and its functions on the national IM Website

- ☐ All freight RUs and freight traction suppliers
- ☐ For broad distribution, RUs are dependent upon the good-will of IM/corridor

Article 3 of MoU (Involving RUs)

- b. The RAG Speaker(s) shall cooperate with the corridor organization to manage the members list and to publish its latest version as well as the contact details of the RAG speaker(s) on the RFC website.
- c. RUs interested in joining the RAG contact the RAG speaker, who will make sure to add this RU with its respective contact person to the members list.

Article 3 of MoU (Involving RUs)

- d. In joining in a RAG, the RU accepts the conditions of the MoU.
- e. If there is a change of contact person or the membership is terminated then the RU shall inform the RAG Speaker in writing, who will make sure to take this RU off the member list.
- f. RUs that reject the MoU can still take part in RAG meetings and put forward their interests to the Management Board and Executive Board themselves.

- ☐ MoU compulsory for the WORK BETWEEN RUS
- ☐ This makes RAG positions representative
- □ RUs that reject the MoU will still be involved by corridor management

Article 4 of MoU

(Meetings/organisation)

Meetings/Organisation

- a.All member RUs are invited to RU-internal RAG-Meetings at least once a year.
- b.Additional meetings (QCO, regional working groups, and any other meeting) according to demand. The organisation of these meetings will be carried out by the relevant people from the IM/corridor, and/or RU involved.

Article 4 of MoU (Meetings/organisation)

Meetings/Organisation

- c. The RAG-Speaker will incentivize the Infrastructure Managers (IM) of the RFC and/or the RFC organisation to provide documentation in time and in a format that is technically readable by all RUs and that meeting dates will be made public so that transparency is assured.
- d. The RAG Speaker will ask the organisers of the meetings to publish the minutes of said meetings within four weeks.

Article 5.a. of MoU (Decision via write-in)

Decisions are taken in the meetings mentioned under 4.a. or in a written process

- a.Decision in a written process
 - i. Members receive the topic/question with a written process with a minimum two-week deadline.
 - ii.No reaction of an RU means abstention

- ☐ Applies only to decisions
- □ short deadlines
- ☐ No reaction = abstention

Article 5.b. of MoU (Decision in meeting)

Decision in meetings:

- i. Members receive a decision proposal at least two weeks in advance and decide per vote in the meeting, or by reacting in a written form before the meeting.
- ii.Or topic is presented in the meeting and members get two weeks' time to give feedback/vote

- ☐ Applies only to decisions
- □ 3 options for voting

Article 5.c and d. of MoU (organisation)

- c. Meetings shall be organized either online or in hybrid form (with online and physical participation) to facilitate participation and reduce participation costs.
- d.The RAG can invite guests e.g. associations, international passenger RUs etc.

General Voting rights –Define under which circumstances an opinion is representative

- a.One vote per Railway Undertaking not weighted per size of the undertaking
- b. Votes are possible for every member present in the meeting or reacting within the deadline in a written form
- c.There is no provision for an RU to act in the RAG through a proxy (another RU)
- d.Decisions are taken by simple majority.

General Voting rights –Define under which circumstances an opinion is representative

e. Quorum:

- i. a minimum number of three votes of independent companies is required for the vote to be valid.
- ii. The quorum shall be relative to the size of the RAG and the number of independent RUs that are member of the RAG.
- iii. If the quorum is too high to have valid votes due to a limited number of independent company members, a lower quorum will be established by the RAG.

Note: Independent company is:

A company not connected in any way to another member of the RAG, either through shareholding or legally.

Cooperating RUs, which are not connected through shareholding/legally are independent RUs (e.g. Sibelit).

General Voting rights –Define under which circumstances an opinion is representative

- f. Voting can be facilitated through polls, forms, etc.
- g. In the case of formal consultation both the majority position and the minority positions will be reported anonymised, in order to assure transparency.

Article 6 of MoU

- 6. General Voting rights –Define under which circumstances an opinion is representative
 - a. One vote per Railway Undertaking not weighted per size of the undertaking.
 - b. Votes are possible for every member present in the meeting or reacting within the deadline in a written form.
 - c. There is no provision for an RU to act in the RAG through a proxy to another RU.
 - d. Decisions are taken by simple majority.
 - e. Quorum:
 - i. a minimum number of three votes of independent companies is required for the vote to be valid. Note: Independent company is: A company not connected in any way to another member of the RAG, either through shareholding or legally. Cooperating RUs, which are not connected through shareholding/legally are independent RUs (e.g. Sibelit).
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 - iii. If the quorum is too high to have valid votes due to a limited number of independent company members, a lower quorum will be established by the RAG.
 - f. Voting can be facilitated through polls, forms, etc.
 - g. In the case of formal consultation both the majority position and the minority positions will be reported anonymised, in order to assure transparency.

- ☐ Simplicity and easy of execution
- Representation on independend companies assured

7. RAG-Speaker

- a. RAG speaker represents the opinion of all Member-RUs. In case of minority opinions those shall be mentioned as well. If the RAG speaker represents his/her own RU he/she will emphasize this explicitly.
- b. In general, there is one RAG speaker and one deputy per RFC. Alternatively, co-speakers can be implemented to share the work or to better cover the geographical differences along corridors
- c. In case of more than one RAG speaker
 - i. one single contact will be named for Executive and Management Board as well as the RFC organisation,
 - ii. or any RAG speaker can be contacted and the contacted RAG speaker is obliged to inform his/her fellow spokespersons.
- d. To underline independency and neutrality of the RAG Speaker, the RFC is asked to provide a neutral Email address.
- e. RAG Speakers are elected in accordance with the procedure under Article 2 and for a term of two years. The RAG Speaker will ask the organisers of the meetings to publish the minutes of said meetings within four weeks.
- f. Also, a representative of an association could be elected as RAG speaker, but only the member Railway Undertakings have voting rights.

RAG-Speaker

a.RAG speaker represents the opinion of all Member-RUs. In case of minority opinions those shall be mentioned as well. If the RAG speaker represents his/her own RU he/she will emphasize this explicitly.

Key points of the RAG concept:

□ <u>Representation</u>

RAG-Speaker

a.RAG speaker represents the opinion of all Member-RUs. In case of minority opinions those shall be mentioned as well. If the RAG speaker represents his/her own RU he/she will emphasize this explicitly.

Key points of the RAG concept:

- □ <u>Representation</u>
- ☐ Minority opinions shall be heard

RAG-Speaker

a.RAG speaker represents the opinion of all Member-RUs. In case of minority opinions those shall be mentioned as well. If the RAG speaker represents his/her own RU he/she will emphasize this explicitly.

Key points of the RAG concept:

- □ Representation
- ☐ Minority opinions shall be heard
- Separation of company and community interests

RAG-Speaker

b. In general, there is one RAG speaker and one deputy per RFC. Alternatively, co-speakers can be implemented to share the work or to better cover the geographical differences along corridors.

- □ Being a RAG Speaker implies taking on work
- □ No financial compensation for Speaker task

RAG-Speaker

- c. In case of more than one RAG speaker
 - i. one single contact will be named for Executive and Management Board as well as the RFC organisation.
 - ii. Alternatively, any RAG speaker can be contacted, and the contacted RAG speaker is obliged to inform his/her fellow spokespersons.

Key points:

☐ Easy of communication in case of multiple Speakers

RAG-Speaker

- d. To underline independence and neutrality of the RAG Speaker, the RFC is asked to provide a neutral Email address.
- e. RAG Speakers are elected in accordance with the procedure under Article 6 and for a term of two years.
- f. A representative of an association could be elected as RAG speaker, but only the member Railway Undertakings have voting rights.

- ☐ Term of service limited to short period
- ☐ Organisation RAG + administration remains with RFC manager
- ☐ To ease pressure on RUs, RUs can vote for RUassociations to supply Speaker



- > Each RFC publishes on website.
- Request from RAG Speaker and RFC Managing Director for each RU to signup.
- 'Signing' by emailing to RAG Speaker and RFC Managing Director that RU agrees to adhere to MoU
- Signatory repository available at RFC management.

For further questions: Please go to your own RAG Speaker.



Autumn Days

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