

**Transport Community Permanent Secretariat**  
*NORTH MACEDONIA FIRST ONLINE RAIL WORKSHOP*  
*11:00 – 13:00, via Microsoft Team*  
*Minutes of meeting*

**1. Introductory Speech, Mr. Matej Zakonjšek, Director TCT Secretariat**

TCT Secretariat Director Matej Zakonjšek welcomed all participants and highlighted that such workshops are the most effective way of putting the Rail Action Plans in practice and advancing common agenda, with special focus on certain aspects such as Electronic Vehicle Register, and issues of safety and interoperability.

**2. Introductory Speech, Mr. Josef Doppelbauer, Executive Director ERA**

Executive ERA Director Josef Doppelbauer welcomed TCT Secretariat's initiative to organize such in-depth discussions with regional partners in order to define exact needs and state of play of each participant, as well as to address other issues in domain of EVR, interoperability and safety. ERA Director introduced two documents prepared by ERA with regard to COVID crisis: Protocol on safe railway services and Guidelines on ventilation system, both available on ERA website. He underlined that transitional period for transposition of technical pillar of Fourth railway package is completed, and as of 31 October ERA is the only EU authority for vehicle authorisation and safety certification.

ERA's Executive Director pointed out that this authority has issued more than 1000 decisions and authorized more than 12500 vehicles since establishing its new powers since June 2019.

He welcomed North Macedonia's efforts to bring forward its railway system, pointing out to several meetings of ERA with North Macedonia's authorities, in particular meeting held in May 2018 and in December 2019 within the IPA project, very well appreciated by beneficiaries.

ERA stands ready to support North Macedonia in the implementation of the EU Acquis and provide trainings with regard to all relevant railway issues.

**3. Introductory Speech State Counselor Jasminka Kirkova**

State Councillor Jasminka Kirkova welcomed participants and thanked TCT Secretariat on behalf of State Secretary of MoTC Mitko Trajculeski, who was unable to participate due to the participation in ongoing session of General Secretariat of the Government.

She informed participants that the Government at its session held on 6<sup>th</sup> October 2020 adopted all Action Plans, previously adopted by TCT Technical Committees and endorsed by Ministerial Council. The Government instructed Ministry of transport to provide it with information on measures taken to implement the activities set out in the action plans every 6 months.

She informed participants that new law on safety and interoperability is being prepared, fully harmonized with directives for safety, interoperability and requirements for train drivers – it is expected to have the final draft by the end of this year. Also, new draft law on railway system shall

be prepared, after the interinstitutional and inter-ministerial procedures are completed, it is planned to be adopted by Parliament in the second quarter of 2021.

Liberalization of the market remains one of the crucial topics and ongoing activities with consultants from a study that started few years ago, consultant proposed conditions for privatization, will see how to proceed in this regard.

TCT Secretariat Rail Coordinator Dejan Lasica thanked the participants of the Technical Committee on Railways and Regional Steering Committee for their contributions in preparation and adoption of Rail Action Plan.

He confirmed that mentioned timeframe for law amendments is fully in line with Rail Action Plan, law on safety and interoperability being the essential part in transposition of Fourth Railway package.

Ministry of transport representative Biljana Zdraveva underlined the problem of transposition of relevant EU Acquis, due to the fact that ERA cannot issue licenses or safety certificates in the territory of WB6.

DG MOVE representative confirmed that until both transitional periods described in the protocol of the Treaty are completed by regional participant, ERA shall not be authorized to issue certificates on its territory. He suggested to include the relevant provisions of the Directive in national law with reference to ERA but with transitional period until adequate level of integration is achieved (open-end timeline), entrusting the relevant tasks and responsibilities to national bodies and authorities in transitional period.

As regards the implementing acts, in accordance with fourth Railway Package, the EC and the TC Secretariat have started screening of Annex I of the Treaty to eliminate obsolete legislation and supplement with acts currently in force, in particular the new Technical Specifications for Interoperability (TSIs): formal update is expected on first RSC meeting in 2021, cutoff date 1<sup>st</sup> September 2020. This should become a yearly exercise.

Meanwhile, mutual recognition mechanism shall be put in place in the region.

TCT Secretariat expressed its readiness to assist North Macedonia in taking all the necessary steps to adapt national legislation to the regulations set out in Annex 1. In this regard, full cooperation with ERA is welcomed (especially with relate to certification). TCT Secretariat stands ready to support North Macedonia to complete both transitional periods, in order to comply with the Treaty.

#### **4. Changes into the Railway Law and other Transport Community Treaty commitments of MKD**

Dejan Lasica suggested to share the draft laws with TCT Secretariat, once completed, before initiating intergovernmental procedure.

TCT Secretariat shall facilitate with EU bodies in order to help in resolving problematic issues such as setting up transitional periods for performing ERA's tasks by national authorities.

Biljana Zdraveva: work on correlation tables took place in parallel with the draft law, will send both for review and comments to TCT Secretariat.

## **5. Joining to the European Electronic register of vehicles Establishing**

ERA expert Christoph Kaupat informed participants that as of June 2021 onwards the European vehicle register (EVR) will be operational. The European Vehicle Register shall be the one and only vehicle register for the single European railway market. There are several benefits to join it, such as less burdens with own national registers, no interface problems, it is also cheaper in the long run, giving full access to data from other users, no need to administer its own register, it allows to send and receive vehicles to / from neighbouring countries (keeper and entity in charge of maintenance is visible in the register).

He also mentioned that some WB6 participants already connected its national registers to the connecting different national registers in the European Union.

In North Macedonia, national vehicle register is kept in a form of excel table.

ERA stands ready to help North Macedonia to change and adapt formatting to make its register reliable tool that could be used in cooperation with neighbouring states in the future. It can be achieved that requests for help could be handled under IPA consultancy projects.

Christoph Kaupat mentioned a resource problem, as ERA experts are currently transferring all data from national vehicle registers to EVR in a short period of time.

Dejan: We would like to know, the current state of play in MK?

Dejan Bogoeski (NSA): North Macedonia doesn't have an electronic register of vehicles, intention to ask for additional funds from government to establish it and then help from ERA to plan next steps to connect with EVR shall be welcome.

Christoph Kaupat suggested to use directly EVR from next year on, no need for an intermediate step creating a national register of vehicles, ERA stands ready to help in joining of North Macedonia to EVR.

North Macedonia confirmed its will to be part of EVR and take all preparatory steps, facilitated by TCT Secretariat and ERA.

## **6. Transposition and implementation of forth Rail Package**

Regarding the market pillar of the EU rail acquis, in particular Directive 2012/34 as amended, DG MOVE representative pointed out to the provisions of the current Railway Law in North Macedonia, which are in breach with the Transport Community Treaty by stipulating that until North Macedonia is full member of the EU its market will not be open. He asked MK's authorities to introduce the necessary changes in the Rail Law in order to remedy the situation.

Jasminka Kirkova explained that decision about rail market opening will be done by the Government of North Macedonia.

Dejan Lasica mentioned four RPs whose example could be followed, which opened their market at the domestic level. In same time their national RUs kept almost same level of transport volume.

Also, after the adoption of the Rail Action Plan, North Macedonia agreed about necessary changes in Railway Law related to the current breaches with TCT provisions.

## **7. Rail infrastructure and Asset Management System (RIAMS)**

ERA expert Christoph Kaupat held a presentation on the Database of European Railway Infrastructure (RINF).

An infrastructure register as a part of RIAMS aims to catalogue network offer for train path sales (including capacity inventory, track access charge calculation and data integration for EU wide business tools), to perform vehicle route compatibility checks, design of mobile subsystems, check the feasibility of train services etc.

An infrastructure register could also be a useful tool for TC Secretariat to follow developments on interoperability for WB countries.

The EU's infrastructure register is called RINF and has the following characteristics:

- RINF is set up and managed by the Agency, it allows to download and import files by National Registration Entities (NRE) in charge of the implementation of the register at national level.
- Over 220 parameters groups: identification, performance parameters, line parameters, track parameters etc.
- RINF shall be updated by 1 January 2021 in order to streamline the process of updating the data in the application to allow infrastructure managers to update information as soon as it becomes available, to improve the description of the network, to provide information regarding possible routing of the network.

He encouraged MK to follow RINF development and expressed willingness to establish contacts with relevant stakeholders and be up to date on the progress since one day maintaining such register will be obligation.

TC Secretariat: How does MK manage the inventory of assets?

Nikola Kostadinovski: No data in electronic format for infrastructure assets

Dejan Lasica: Establishing RIAMS could contribute to maintenance, problem regarding planning and creation of maintenance plans based on reliable data. RIAMS could improve this issue, and serve as input for maintenance plan where the main beneficiaries are infrastructure managers.

Dejan Lasica recalled the study commissioned by DG MOVE to the consultant CONNECTA two years ago, which delivered a comprehensive report on practical steps and methodology to setup infrastructure asset management system and develop maintenance plans.

Biljana Zdraveva suggested that one technical assistance for WB6 should be developed, in order to increase readiness to establish RINF.

Possible obstacle: different stage of development of each RP.

## **8. Establishing of the National Safety Authority, National Investigation Body, Regulatory Body**

Dejan Lasica underlined that North Macedonia already established fully independent regulatory body. It has NSA as unit of Ministry which is not in collision with EU directives. What about NIB?

Biljana Zdraveva informed participants that public call for employment of 3 investigators was issued by the General Secretariat of the Government, due to 1 submitted application only it was cancelled, no new information in regard to next steps.

Christoph Kaupat referred to ERA accident investigation expert Anita Koprivnjak to whom all questions in this regard could be addressed.

## **9. Training and certification of train drivers**

Nikola Kostandinovski: MK Directorate for Safety is issuing licenses for several years according conditions and laws compliant with EU Directive 59/2007, employers issue complement certificates without problems.

All questions in this regard can be addressed to ERA Expert Olaf Mette.

## **10. Other topics relevant for North Macedonia**

Biljana Zdraveva: new data on how safety authorities, regulatory bodies and NIB are established in EU countries while preparing the new draft laws shall be welcome.

Anita Koprivnjak referred to NIB guidelines available on ERA webpage. The models within EU countries differ, but it is crucial that NIB remains independent from RU, RM, NSA as well as from police and state attorney office. It shall be provided with sufficient financial and human resources to perform its tasks.

TCT Secretariat will make efforts to provide North Macedonia with few different EU models of establishing relevant bodies. Technical unit of the EC shall be reached by DG MOVE in this regard. ERA trainings on NSA and their role are envisaged as of next year.

TC Secretariat representatives will organize next round of meetings very soon as well as another dedicated session to discuss rail issues and how to provide further assistance will follow.

## **Conclusions:**

1. MK Government at its session held on 6<sup>th</sup> October 2020 adopted all Action Plans, previously adopted by TCT Technical Committees, and endorsed by Ministerial Council.
2. MK MoTC drafted the new law on safety and interoperability, fully harmonized with directives for safety, interoperability, and requirements for train drivers. It is expected to have the final draft by the end of 2020 and adopt by the Parliament by the second quarter of 2020.
3. MK MoTC will prepare the new draft law on railway system and after the interinstitutional and interministerial procedures are completed, it is planned to be adopted by Parliament in the second quarter of 2021.
4. TC Secretariat, in cooperation with ERA and DG MOVE, will provide MK with opinion/assistance, regarding the formulation of the articles related to the ERA competency from 4th Rail Package during the transitional periods.
5. In preparation of 5-year maintenance plan, infrastructure managers in MK will use CONNECTA guidelines issued in 2018 as tool for developing maintenance plan
6. MK will establish contractual part between relevant state authorities and infrastructure manager.
7. All participants acknowledged presentation given by ERA regarding establishing of Register of Infrastructure (RINF).
8. MK NSA has needs of support in the process of establishing the system for EVR and ERA offered their support in this regard.
9. MK, as the other WB6 partners, will need assistance for establishing RINF.
10. Authorities in MK will work on establishing of NIB.