Transport Community Permanent Secretariat
MONTENEGRO 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 organized individually with each regional participant are the most effective way of putting the Rail Action Plans in practice, with special focus on issues of safety and interoperability.

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

Executive ERA Director Josef Doppelbauer highly welcomed TCT Secretariat's initiative to organize such in-depth discussions with regional partners in order to define state of play and discuss practical issues and needs of each participant. ERA Director introduced two documents prepared by ERA in the context of COVID crisis: The COVID-19 Rail Protocol containing Recommendations for safe resumption of railway services in Europe and a COVID-19 Information Bulletin with technical expert advice on Ventilation in Railway Vehicles, both available on ERA website.

As of 31 October ERA is the only authorizing entity for all member states of the EU for vehicle authorization in international service and for safety certification of railway undertakings.

ERA Executive Director pointed out that this authority has authorized more than 14000 vehicles and issued 20 single safety certificates since establishing its new powers in June 2019.

He referred to Montenegro as an important partner in the framework of IPA projects, as well as traineeship of Montenegrin representative at ERA, announcing forthcoming IPA events in the region after COVID crisis stabilizes, and wishing fruitful cooperation with TCT Secretariat's support in the future, in order to support railway system in Montenegro.

3. Introductory Speech, General Director Directorate for International Cooperation and EU funds, MoTaMA Ms. Emina Mujevic

Ms. Emina Mujevuc pointed out that Montenegro has been actively involved in preparation of Rail Action Plan through Technical Committee on Rail. Recently published EC's report assessed Montenegrin's progress in rail transport as moderate, due to the fact that main legislation has not been adopted yet. However, Montenegro is working on implementation of the EU Acquis, and new legislation on railways is expected to be adopted in the 2nd quarter of 2021. When it comes to passengers' rights, legislation is fully aligned with European. Montenegro already opened market at national stage in 2014 – first phase of the Rail Action Plan completed.

One new private operator entered into market recently, regulatory body exists - its tasks are to be adopted at a later stage. Drafting law on safety and interoperability is at its final stage -the proposal at Ministers' level is completed.

Montenegro is currently working on 5-year maintenance plan, aiming to finalize it during 2021. Envisaged investments of 14 million euro in railway infrastructure in 2020 were not used in full capacity due to COVID crisis.

Montenegro is working on rail border crossing operation endorsement with Serbia (ongoing reconstruction of cross-border joint railway station under IPA project of the EU).

On 04.12.2020, Mr. Mladen Bojanić has been elected as the new Minister responsible for Transport issues withing the new format of the Ministry called Ministry of capital investments.

TCT Secretariat Rail Coordinator Dejan Lasica thanked the participants of the Technical Committee on Railways for their contributions in preparation of Rail Action Plan that was endorsed on 26th October by Ministerial Council.

He pointed out that Montenegro, together with Serbia, is one of the most progressive RPs regarding legislation – together Serbia and Montenegro are the first 2 candidates for next phase of rail market opening.

He underlined that today's workshop will address the technical pillar response, with special focus on EVR, electronic register of infrastructure, safety and interoperability, as well as transposition of 4th railway package.

4. Changes into the Railway Safety Law and other Transport Community Treaty commitments of Montenegro and Fourth Railway package

Milan Bankovic referred to certain aspects to be addressed with new law on safety and interoperability – licensing for vehicles, changing status of training center for local drivers (now operator's trainings are possible only inside companies) in order to introduce possibility for any organization who fulfil requirements to organize trainings, and with regard to Safety law (now MIP analyses all accidents and incidents).

Institutional center for education (under Ministry of education), will be authorized for trainings for local drivers. Bylaws are being prepared in that area.

This month it is expected to finish discussion with legal department, in order to send draft law to Brussels in the beginning of 2021.

As regards Fourth railway package – consultant hired in Ministry of transport within IPA project - to complete draft Fourth package law in area of safety and interoperability – expected to finish in 2022 in practice.

Current solution in railway safety law -recognition of vehicle permits and safety certificates?

It exists based on bilateral agreements, in practice – recognize both from Serbia, for work trains only, not for public transport.

New railway law will improve and cover this area, timeframe 1st quarter of 2021, draft contains passenger rights for 1st time.

DG MOVE representative raised issue of implementation of provisions where executive tasks of vehicle authorization and safety certification are entrusted to ERA, which is applicable to EU MS whereas to the third countries it is not.

it is suggested to include the relevant provisions of the Directive in national law with reference to ERA but with transitional period (open-ended period) until adequate level of integration is achieved, entrusting the relevant tasks and responsibilities to national bodies and authorities in transitional period.

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 1st September 2020. This should become a yearly exercise.

5. Joining to the European Vehicle Register
Railway authority director Marko Zecevic pointed out that Montenegro activated its NVR, 469 vehicles have been put into server so far, in the next year it is expected to have all completed.
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 is no more need to connect neighboring VRs to use benefits which such connection offers. ECVVR currently in use is a connection of many databases, allows every connected state to search for vehicles in other countries -to see which vehicles come in, and vice versa. Transfer of all data from ECVVR to EVR (ERA shall maintain EVR) is planned to be completed until summer 2021, but may be prolonged due to COVID crisis, subject to approval by the bodies in charge.

TCT Secretariat together with ERA and DG MOVE will work together to provide Montenegro with necessary support with regard to this issue.

6. Establishing 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 WB6.
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.

Current state of play in Montenegro regarding electronic register of infrastructure?

Asset management system is missing.

Main design for asset management system project started in July and will take one year, task of 2 components- to make design (June) and information system, estimation of costs is expected in the beginning of 2021.

Training for employees from IM shall be needed after providing equipment installation of RIAMS before it becomes operational, and TC Secretariat's and ERA's support will be welcome.

Bylaw on register of infrastructure is published- it transposes EU Acquis completely, but railway authority lacks software.

Dejan Lasica pointed out to a regional priority project: monitoring condition of railway infrastructure - all RPs use one car for measuring of rail infrastructure parameters, few options to perform it– rental car/ Serbia already procured car but not in operation (checking performance, permit is expected asap)/ all RPs to use Serbian car for reasonable rent, or to use Serbian car for entire core network free of charge, but additional equipment is welcome (just basic equipment is available at the moment).

Measuring should be done twice per year (minimum once), data is to be stored in electronic software, output - support for planers and decision makers for making maintenance plans.

Other regional priority: improving safety on level crossings- project which is recognized in EC economic and investment plan as well. It is agreed with Serbia that NIPAC shall send application on behalf of WB6, and jaspers will assist to make prioritization of most critical level crossings. Montenegro is kindly asked to provide positive feedback on Serbian proposal.

7. Establishing of the National Safety Authority, National Investigation Body, Regulatory Body

Institutional framework in Montenegro: 2 years ago, independent railway directorate as regulatory safety body was established, plans?

New decree on organization especially with regard to regulatory bodies is expected to be published.

Since 2019 regulatory body is not under umbrella of Ministry, but in some cases of appeal court procedure include Ministry, therefore, new legislation aims to make independent regulatory body.

Multicommision for NIB exists, but with limited budget and no funds for investment, it helps IM and regulatory body to identify mistakes and practical problems and sends reports about its investigations regularly.

8. Training and certification of train drivers

With regard to establishment of training center, after changes of the law and creating necessary conditions, Montenegro shall refer to ERA, in particular ERA expert Olaf Mette, in order to address questions regarding procedures for trainings.

9. Other topics relevant for Montenegro

Montenegrin representative raised possibility to directly recognize papers from entity which are already contained in the ERA database, in order to speed up procedures, and due to the fact that

only 20-30 licenses were issued in Montenegro. This question shall be shared with TC Secretariat in written.

TC Secretariat representatives will soon organize Road Show in order to discuss other relevant rail issues and to discuss how to provide further assistance (by the end of this year or in January 2021 - in coordination with newly appointed Minister of transport).

Draft conclusions:

- All participants welcomed the organization of this meeting between Rail Authorities in Montenegro and Transport Community Secretariat, DG MOVE, ERA and EUDEL in Podgorica.

- European Union Agency for Railways, TC Secretariat and DG MOVE will work together to provide Montenegro with necessary support and answers regard to the joining to the European Register of Vehicle.

- Regarding the transferring from NVR to the EVR, and further using of EVR, training and education of staff is needed for Montenegro.

- Assessment of progress at the end of 1st transitional period is a decision to be taken by the Council of EU, so RPs should make sure to meet all formal conditions of the Treaty before requesting the Commission to initiate this procedure.

- Montenegro expressed readiness and willingness to finish transposition and implementation of all EU Rail legislation from Annex I, in aim to pass to the 2nd transitional period.

- All participants acknowledged presentation given by ERA regarding establishing of Register of Infrastructure (RINF).

- Montenegro presented ongoing activities regarding establishing Rail Asset Management System. In terms of that, Montenegro will update TC Secretariat regularly about progress on it.

- Montenegro expressed the needs for the support in additional education and training of staff, once RIAMS is established.

- Montenegro as well as the other RPs should use CONNECTA guidelines issued in 2018 as a tool for developing maintenance plan and establishing of RIAMS.

- All participants acknowledged importance of EC communication on economic and investment plan (COM (2020) 641 final) as well as signing of MoU between TCT Permanent Secretariat and S2R JU.

TRANSPORT COMMUNITY
The Permanent Secretariat

- Montenegro shall refer to ERA in order to address questions regarding procedures for trainings. ERA will organize online or live meeting with Montenegro related to the certification of train drivers.