

**14th meeting of the Technical Committee on Railway
In-person Meeting – Brussels, Marivaux Hotel
01 December 2022 10:00 - 17:00**

Draft Conclusions

1. The Agenda of the 14th Meeting of the Technical Committee on Railway was adopted unanimously.

Administrative matters:

2. As the current chair from Serbia, Mr Stanojevic, left the Ministry, new Chair of the TC on Railway is Ms Teodora Milenkovic, a new member of the TC on Railway nominated by Serbia.
3. Changes of the Rules on Reimbursement of expenses incurred by participants of meetings organised by the TCT are ongoing. Expected data for new rules is mid-2023.
4. The TC Secretariat Director informed all participants about the changes in the structure of the Transport Community. In the coming TC meetings, Ukraine, Georgia and Moldova will have the status of observing participants and they will be invited to take part in future meetings in that capacity.

Activities between the two TCs:

5. The Director of the TC Secretariat summarised the activities of 2022:
 - European Vehicle Register will be available to all WB6 partners;
 - Level Crossings campaign done in 4 RP's and will be continued for the other remaining two;
 - Establishing of the Regional Infrastructure Managers Network;
 - Initiative to establish the Regional Railway Centre of Excellence;
6. The Second TCT Progress Report on Implementation of the Rail Action plan was adopted by the Regional Steering Committee on 14 November and its highlights were presented by the TC Secretariat. Assessment of the EU Rail legislation stemming from Annex I.2 is now part of the Report. The progress achieved in the past twelve months is not at the satisfactory and desired level.
7. DG MOVE suggested to include rules about public procurement – Annex I.7 as well as other horizontal legislation common for more than one mode of transport (environment, state aid, passenger rights).
8. Clean version of Annex I.2 will be delivered to the regional partners by the TC Secretariat.
9. Some implementing acts which did not target the Western Balkan parties should not be a priority for transposition. This issue should be raised during the coming sub-committees with the EC.
10. All Regional Partners expressed their satisfaction with the ERA's decision to grant free-of-charge access to the European Electronic Vehicle Register. Implementation of the decision and full inclusion of all Regional Partners should be done in 2023. All preparatory steps will be done in cooperation with ERA, the TC Secretariat and Regional Partners.
11. The TEN-T Annual Development Report was adopted by the Regional Steering Committee on 14 November. The TC Secretariat presented highlights of the report. There have been no significant changes in the network performances compared to the 2021. The main concern is the fact that there is just 13% of the Core Network eligible for operation speed of 100 km/h or more.
12. DG MOVE (Mr Keir Fitch) presented the latest developments regarding the changes in the technical part of rail legislation. He underlined the importance of changes in Technical Specifications of Interoperability. In the future, Digital Automatic Coupling will replace the classic screw coupling but still

there are a lot of challenges to be solved. Hyperloop is the technology that will be seen in the future as high-speed mode of transport.

13. DG MOVE (Mr Laurent Pratt) presented the latest rail legislation linked to the market pillar. He underlined the importance of market competition. The 4th Rail Package brought novelties for the liberalisation of passenger services. Public service contracts should be awarded in transparent (tender) procedure. This should serve as a guideline to the Western Balkan parties as well.
14. DG MOVE (Mr Laurent Prat) presented the latest figures of the market monitoring of the Single European Rail Area (data: 2020) and highlighted the characteristics of the 4th Railway Package legislation on Public Service Contracts for domestic rail passenger services (Regulation 2016/2338 amending Regulation 1370/2007), which is part of the market pillar (also referred to in Annex I.7 of the TCT). He underlined the importance of market competition. The 4th Rail Package brought novelties for the liberalisation of passenger services. Public service contracts should be competitively awarded in transparent (tender) and non-discriminatory procedure. He also updated the participants of the forthcoming legislative proposal on capacity management, which should be adopted by the Commission in Q1 2023.
15. ERA (Mr Kaupat) informed about the activities in the region and presented a plan for a certain number of seminars, trainings and workshops. Some of them will be organised together with the TC Secretariat. All topics will be strongly in correlation with the measures from the Rail Action Plan.
16. The Calendar of TCT events for 2023 is fully synchronised with the ERA calendar. Main TCT events in 2023 will be:
 - Three TC on Railways (February, June, October)
 - Two meetings on RIMN (March, September)
 - ERTMS training (together with ERA in February)
 - DAC presentation (together with EU Rail JU in April)
17. Albania informed the meeting participants on the state of play on the completion of the institutional framework as well as of the restructuring process on separation of HSH. However, both processes should be completed by the beginning of next year. Guidelines for public service procurement will be adopted by the end of 2023.
18. North Macedonia informed TC Secretariat (in written form) about the latest decision by the Government. With this decision, the Government obliged the Ministry of Transport to prepare and submit a final draft of the Railway Law by the end of the year. The new Railway Law has been drafted already and the main novelty will be removing breaches of the Treaty in the area of rail market opening.
19. Kosovo informed about the coming adoption of the Multimodal Strategy as well as about the plan to adopt a new Railway Safety and Interoperability Law in 2023.
20. Montenegro informed that in 2023, there is a plan to adopt a new Law on Railway as well as a new Rail Safety and interoperability law.
21. Bosnia and Herzegovina informed about the coming adoption of TSIs by the Regulatory Board. In the entity of Republic of Srpska, there is a plan for signing the PSO contract between the Railway Undertaking and the competent authorities in 2023.
22. Serbia will adopt amendments to the Railway Law, the Law on Safety as well as the Law on Interoperability during 2023. In 2024, a new Railway Law will be prepared for adoption.
23. A TAIEX regional workshop organised in Tirana on 15 and 16 November 2022 was very successful with more than 40 participants from the region. The RPs proposed continuation of this practice.
24. The TCPS informed the RPs about the coming events (the next TC in Pristina – February 2023 back-to-back with the Rail Excellence Summit).



25. All participants welcomed the presentations given by Ms Krukowska, UNIFE, CER as well as CONNECTA. a common conclusion is that there is a need to advance cooperation with UNIFE and CER at least through regular meetings and the exchange of information. The RPs proposed greater involvement of rail projects under CONNECTA. One of the projects which could be under next CONNECTA is the design of denivelation of priority level crossings.

Done in Brussels on 2 December

