

Issue no. 56 Nov/Dec 2020

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THE 2001 CAPE TOWN CONVENTION
ON INTERNATIONAL INTERESTS IN MOBILE EQUIPMENT



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Webinar on the Luxembourg Rail Protocol for Namibia

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in Bern, Switzerland. At the beginning of December there was a major step forward in putting this structure into place.

Official Commentary Review Task Force

The RWG has established an ad-hoc task force to review the forthcoming third edition of the Official Commentary on the Luxembourg Rail Protocol.

Forthcoming events

23rd June 2021, Scandinavian Rail Optimisation, Stockholm, Sweden*

*discount for RWG members

New report shows how Luxembourg Rail Protocol can save the UK up to £ 5.2 bn

A new report published on 30th November by Oxera and the Rail Working Group outlines how the ratification of the Luxembourg Rail Protocol could bring significant economic benefits to the UK over the next thirty years. The report estimates that adoption of the Protocol would lower the cost of financing, helping UK businesses save up to £5.2bn.

The report quantifies the direct micro-economic benefits of introducing the Protocol for the UK economy. Key findings include:

Webinar on the Luxembourg Rail Protocol for Namibia

On 9th November RWG Chairman, Howard Rosen, and Director: Africa, Mesela Nhlapo gave presentations at the industry webinar organised by the UNECA, together with the Namibian state railway company, TransNamib.

The event was introduced by Johny Smith, Chief Executive Officer, TransNamib and moderated by Robert Lisinge, UNECA’s Chief of Energy, Infrastructure and Service. Soteri Gatera, Head: Industrialization, Infrastructure Section, Regional Integration & Trade at UNECA also gave a detailed presentation.

- Introducing the Protocol would lead to £5.166bn in savings for the UK economy at net present value, over the period between now and 2049;
- This represents £129m in savings every year;
- 93% of these savings would relate to purchasing of new rolling stock.

The report suggests that these savings could be even greater if any road freight capacity transfers onto rail, which is likely as part of the UK Government's push to decarbonise freight transport.

Andrew Meaney, Partner and Head of Transport at Oxera, said: "Despite highly uncertain times for the rail industry, ratifying the Luxembourg Protocol would cost nothing, and save significant amounts of money for rail customers and taxpayers in the long term. Few policy choices governments can make offer such strong payoffs. Moreover, additional benefits could emerge over and above those we have quantified, if the UK were able to build on its long history of private finance for rolling stock and become a global centre for rolling stock financing."

To see the complete report click [here](#).

A new future for South African Railways

On 15th October South African President Cyril Ramaphosa presented his government's Economic Recovery Plan at the Joint Sitting of Parliament. The plan included a major development for the rail industry, whereby private operators will be granted third-party access to the core state-owned rail network within the next 12 months. Private freight operators will then be able to offer transport services on the railways alongside state-owned Transnet. In turn, this will be a major catalyst for private investors.

The following week, speaking at AfricaRail 2020, James Holley, chief executive of private freight rail operator Traxion Group, announced, in response, an investment by his company of over ZAR 18 bn

Namibia's rail sector is undergoing enormous, positive change with urgently needed upgrading of existing lines, particularly to the deep water port Walvis Bay, and the planned development of new rail links within the SADC network. All speakers agreed that the Luxembourg Rail Protocol will clearly have an important role delivering affordable private capital to finance future procurement of rolling stock.

First session of UNECE Group of Experts on permanent marking of rolling stock – report and working papers published

The report of the first meeting UN Economic Commission for Europe's (UNECE) Group of Experts on establishing a common, permanent unique marking system for railway rolling stock which took place in September 2020 in Geneva has now been published. The UNECE has also published various working papers, presentations and informal documents. These documents may be found [here](#).

An informal meeting will take place on 14th/15th December and the 2nd formal session is planned for May 2021.

RWG publishes new explanatory paper: "The Luxembourg Rail Protocol – how will it work in practice?"

In preparation for the next (informal) meeting of the UNECE Group of Experts on permanent marking of rolling stock in December, the Rail Working Group prepared a new working paper which goes into detail on how the Protocol will operate in practice. It looks in detail as to how railway rolling stock is defined for the purposes of the Luxembourg Rail Protocol and also answers various questions which have been raised both on how the URVIS number should work and how the international registry will operate.

The paper has been published by the UN and is available in 3 languages here:

[English](#) [French](#) [Russian](#)

(about \$1.2 bn) in new locomotives and wagons for the South African market. You can listen to his interview with South African journalist Paul Ash [here](#) where he talks about how private access to Transnet's vast network could shake up South Africa's railways.

RFG supports the Luxembourg Rail Protocol

The UK Rail Freight Group's Director-General, Maggie Simpson, has written to the British Department for Transport outlining the Rail Freight Group's support for the Luxembourg Rail Protocol. The RFG believes that the Protocol can support the rail freight industry growth and help meet UK decarbonisation targets by enabling easier and cheaper financing of new greener rolling stock, including potentially locomotives and wagons. In her letter, Maggie urged the Department to use legislation currently being debated in Parliament to create the basis for secondary legislation to be introduced for the adoption of the Protocol in the UK. "While there are clearly constraints on parliamentary time during this challenging period," she wrote "we would welcome the Government introducing such legislation at the earliest opportunity"

RWG at AfricaRail 2020

On 19th October, RWG Chairman Howard Rosen moderated a key panel discussion at AfricaRail 2020 on "Increasing private investment into African Rail projects". He was joined by panellists Ronnie Ntuli, Chairman of the Thelo DB Group, South Africa, Mike Salawou, Division Manager, Infrastructure & Partnerships, African Development Bank, Cote d'Ivoire, and Soteri Gatera, Head: Industrialization, Infrastructure Section, Regional Integration & Trade, UN Economic Commission for Africa (UNECA), Ethiopia. AfricaRail 2020 is the largest rail event in Africa and with an excellent attendance, and animated panellists, it proved to be another good opportunity to introduce the Luxembourg Rail Protocol to the African rail community.

ECAs told that railways and the Luxembourg Rail Protocol play an important role combating global climate change

Publication of the draft statutes and rules of procedure for the Supervisory Authority

An important part of the architecture of the Luxembourg Rail Protocol is the Supervisory Authority, a new intergovernmental agency based in Bern, Switzerland. At the beginning of December there was a major step forward in putting this structure into place.

All ratifying states are represented on the Supervisory Authority. It will formally be constituted on the day the Protocol enters into force. It will be responsible for issuing the regulations governing the operation of the international registry and approving all fee schedules. OTIF will act as its secretariat.

As part of the preparation for the entry into force of the Protocol, the Preparatory Commission, which is tasked with preparing the way for the practical implementation of the Protocol, and OTIF have agreed and now published draft statutes (effectively the constitution) and rules of procedure for the Supervisory Authority. These documents are available in 3 languages and may be accessed through the links below. They will be formally adopted on the day the Protocol enters into force.

Draft Statutes

[English](#) / [French](#) / [German](#)

Draft Rules of Procedure

[English](#) / [French](#) / [German](#)

Official Commentary Review Task Force

The RWG has established an ad-hoc task force to review the forthcoming third edition of the Official Commentary on the Luxembourg Rail Protocol. The members of the task force can be seen [here](#).

If you have any comments or suggestions for consideration in the forthcoming new edition of the Official Commentary please send them to info@railworkinggroup.org

Subscription discount for RWG members for "Railways Africa"

On 21st October, the RWG presented a detailed paper to the annual consultation between civil society organisations and members of the OECD Export Credits Committee showing how the Luxembourg Rail Protocol will be part of the fight against climate change.

In his presentation, RWG Chairman Howard Rosen told representatives from various export credit agencies around the world that rail is the backbone of sustainable, climate-friendly transport that due to the lack of sufficient public resources, rehabilitation and expansion of the railways is only possible with private sector support. The Luxembourg Rail Protocol, he argued, by enabling and encouraging vastly expanded private sector funding for railway rolling stock, will contribute towards the growth of a much larger and more dynamic rail sector on every continent and by supporting a modal shift from high-carbon, greenhouse-gas-emitting forms of transport to railways, the Protocol will make a significant contribution to combating global climate change. And, he continued, by providing more security to export credit agencies where the debtor or lessee is in a contracting state, the Protocol will help ECAs play a critical role, in particular facilitating their being able to offer more attractive financial terms on lending and lower risk premiums on guarantees.

Rail Working Group members are entitled to purchase the South African online publication "[Railways Africa](#)" at 25% discount of R6500 - place promo code RailWorkingGroup2020 when checking out. The code expires at the end of 2020.

["The Railway market in Africa and the Middle East" - special offer for members](#)

SCI Verkehr has published a study on the market for railway technology products and services in Africa and the Middle East. Rail Working Group members are entitled to purchase the study at a 10% discount if you state your membership during the order process. To place an order click [here](#).

[Fourth Edition of the Official Commentary of the Cape Town Convention and the Aircraft Protocol](#)

The 4th Edition of Professor Sir Roy Goode's commentary on the Cape Town Convention and the Aircraft Protocol has now been published. Of course, many of the comments there apply equally to the Luxembourg Rail Protocol. RWG members are entitled to a 15% discount and you will see the application form [here](#).

[Official Commentary on the Luxembourg Rail Protocol - special deal for RWG members](#)

Rail Working Group members are entitled to purchase Professor Goode's official commentary on the Luxembourg Rail Protocol at a 15% discount. If you wish to use this facility, please use the official form which you can find [here](#).



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