

THE 2001 CAPE TOWN CONVENTION
ON INTERNATIONAL INTERESTS IN MOBILE EQUIPMENT



INSIDE TRACK



“Inside Track” keeps RWG members and colleagues up to date on the progress of the Luxembourg Protocol. You can be added onto the mailing list by clicking on “subscribe” at the bottom of the newsletter.

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[Stakeholder seminar in Kyiv](#)

On 18th September 2017 the European Bank for Reconstruction and Development in Kyiv hosted a stakeholder seminar on the Luxembourg Rail Protocol. The seminar was opened by Ukrainian Minister of Infrastructure, HE Volodymyr Omelyan and the seminar

was also addressed by UNIDROIT acting Secretary General, Professor Anna Veneziano, Mark Magaletsky and Jelena Madir from EBRD, Olexiy Soshenko, a partner at Redcliffe Partners, Oleg Shipilov from the MT Group, Elizabeth Hirst, Registrar-designate, Regulis SA and RWG Chairman Howard Rosen. Minister Omelyan set out his clear support for the Protocol and then the seminar looked in detail on the different benefits it would bring to the rail sector in Ukraine and some of the technical issues that would need to be dealt with as part of the adoption process.

RSU extended

The 2014 Sector Understanding on Export Credits for Rail Infrastructure (RSU), agreed between the export credit agencies (ECAs) under the auspices of OECD was due to run out at the end of 2017. It is now been extended through to 31st December 2020. The Rail Working Group is working actively with ECAs to encourage them to take the Luxembourg Rail Protocol into account in assessing their risk analysis and pricing under the terms of the RSU. Despite its title, the RSU is applicable also to export contracts for rolling stock.

You can see more information [here](#)

RWG Seminar in Stockholm October 26th

The RWG will be running a stakeholder seminar on the Luxembourg Protocol in Stockholm on 26th October. There is no charge for attendance. Speakers will include Professor Anna Veneziano, Deputy Secretary General UNIDROIT, Elizabeth Hirst, Registrar Designate for the Luxembourg Registry and RWG Chairman Howard Rosen. Registrar Designate for the Luxembourg Registry and RWG Chairman Howard Rosen. [Programme](#). [Register](#)

Topic of the month: Using the manufacturer's identifier

An essential element of the Luxembourg Protocol is the ability to identify railway rolling stock uniquely. If the number is not unique either at the time of registration or at any point thereafter, the integrity of the registration system is threatened.

Article XIV of the Luxembourg Protocol sets out three different possibilities for establishing what the unique identifier is for the purposes of registration of rolling stock in the international registry. Either the unique identifier is simply affixed to the item of rolling stock or the number in the registry is either associated with the manufacturer's name and identification number for the individual item or a national or regional identification number

(article XIV(1)). So is the concept of the URVIS or unique rail vehicle identification system number being issued by the registry as the unique identifier (see Inside Track 11) really necessary if one can simply use the manufacturer's identifier? And if not, why is there a reference to the manufacturer's name and serial number in the protocol at all?

Superficially, the manufacturer's identifier seems to be an easy solution but, on closer examination, there are some quite serious problems. According to the Protocol, the identifier has to be a combination of the manufacturer's name and identification (i.e. serial) number. Let's take each in turn.

The manufacturer's name can be different in different languages. What happens if the name changes? Or the company goes out of business or merges? Theoretically the registrar could keep a library of manufacturer's names but in practice this would be impossible. It would have to be continuously updated; there are thousands of manufacturers.

The manufacturer's serial number also presents some serious practical problems. Not every manufacturer allocates a serial number to every item of equipment. The numbers could be recycled after some period of time or even duplicated and the registrar has no ability to police this. Manufacturers will produce numbers of varying length which will also make the technical operation of the registry much more difficult. Of course, some manufacturers may use as an identifier a combination of letters and numbers. It could be argued that this immediately places the identifier outside the scope of the protocol because there is a specific reference to a number and not letters, but even if this is not the case, the registry would have to cope with alphanumeric systems where potentially even the letters are not in Roman script. Lastly, we should not forget that the definition of railway rolling stock is a wide one there will not be a common manufacturer's identification system which covers all types of railway equipment from locomotives to trams to cable cars to cranes at ports.

When drafting the Protocol, governments initially thought that they could just carry across the manufacturer's name and serial number in the same way as it is used as a unique identifier in the aircraft protocol (Article VII of the Aircraft Protocol). They did not immediately see all the difficulties involved and by the time the diplomatic conference took place, it was essential that there were alternatives although delegates could not quite bring themselves to delete the option of the manufacturer's name and serial number.

The Rail Working Group strongly recommends the use of the URVIS system for

identifying rolling stock this is the only way to ensure a consistent treatment and be guaranteed that the identifier is unique. For more on URVIS see [here](#)

RWG supporting EastAfrica 2017 - special rates for RWG members

The East AfricaRail 2017 conference will take place on 21st/22nd November in Nairobi, Kenya. The RWG is an official media partner and has negotiated a 20% discount for its members and RWG members should mention their membership when applying for tickets.



Register [here](#).

Special deal on Caspian & Central Asia Rail Conference

The Caspian & Central Asia Rail conference will be taking place on 6th/7th December 2017 in Azerbaijan. With an estimated \$200bn worth of projects currently in pipeline in the rail sector in the Caucasus region, Iran and Central Asia, this will be a critical growth area for the rail industry. Speakers and attendees at the conference will include key people from all of the major rail operators in the region. More about the conference [here](#).

The Rail Working Group has negotiated a special deal for its members for the conference. For more information contact us at: info@railworkinggroup.org

Official Commentary - special deal for RWG members

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

For copies of past newsletters click [here](#).

For information about membership of the RWG click [here](#).

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