RU-RU work relationship

1. The Railway Undertaking Advisory Group (RAG) is open to licensed freight Railway Undertakings (RUs) according to Regulation (EU) 2012/34 (art. 3) interested in the use of the Rail Freight Corridor (RFC).

2. Aim/task – The RAG has the following responsibilities:
    a. Develop a common position amongst the participating RUs operating freight trains, on any specific topic regarding the RFC.
    b. Advising Infrastructure Managers (IMs), Ministries and EU Coordinator according to 2 c, d and e.
    c. Tasks based on Corridor Regulation (EU) 913/2010 as amended by the TEN-T Regulation (EU) 2024/1679, art. 67 and, in particular,
        i. Art. 67(6.c.8) If deemed needed, issue an opinion on any proposal by the management board which has consequences for these undertakings. It may also issue own-initiative opinions.
        ii. art. 67(7): Submit an opinion on the consultation on the draft implementation plan
        iii. art. 67(8): Submit a sufficiently justified opinion to the consultation on infrastructure development and investment needs
    d. Tasks out of TEN-T regulation (EU) 2024/1679, in particular
        i. Input in the Corridor Forum for Rail Freight Governance (Art. 53(2))
        ii. Consultation of the workplan of the Corridor Coordinator (Timeline: 2 years after the entry into force of the Regulation and then every four years) (Art. 54)
        iii. Cooperate closely with the European Coordinator to identify and prioritise investment needs for rail freight on the rail freight lines of the European Transport Corridors (Art. 52(6a))
        iv. Cooperation with European Coordinator in monitoring administrative, operational and interoperability aspects of freight traffic on the rail freight lines of the European Transport Corridors, including monitoring the performance of rail freight services (Art. 52(6b))
    e. Topics addressed by the RAG, such as:
        i. TCR and affected traffic
        ii. Operational and technical harmonisation
        iii. Interoperability
        iv. Implementation of TEN-T parameters

3. Members – How to reach/involve all RUs?
    a. The RAG will incentivize the Infrastructure Managers (IM) of the RFC to introduce the RAG to all freight RUs licensed according to Directive (EU) 2012/ b34 (art.3) by
        i. Including information on the RAG and its functions in the yearly customer information meetings
        ii. Including information on the RAG and its functions in the national Network Statements
        iii. Including information on the RAG and its functions on the national IM Website
    b. The RAG Speaker(s) shall cooperate with the corridor organization to manage the members list and to publish its latest version as well as the contact details of the RAG speaker(s) on the RFC website.
    c. RUs interested in joining the RAG contact the RAG speaker, who will make sure to add this RU with its respective contact person to the members list.
    d. In joining in a RAG, the RU accepts the conditions of the MoU.
    e. If there is a change of contact person or the membership is terminated then the RU shall inform the RAG Speaker in writing, who will make sure to take this RU off the member list.
    f. RUs that reject the MoU can still take part in RAG meetings and put forward their interests to the Management Board and Executive Board themselves.

4. Meetings/Organisation
    a. All member RUs are invited to RU-internal RAG-Meetings at least once a year.
    b. Additional meetings (QCO, regional working groups, and any other meeting) according to demand. The organisation of these meetings will be carried out by the relevant people from the IM/corridor, and/or RU involved.
    c. The RAG-Speaker will incentivize the Infrastructure Managers (IM) of the RFC and/or the RFC organisation to provide documentation in time and in a format that is technically readable by all RUs and that meeting dates will be made public so that transparency is assured.

5. Decisions are taken in the meetings mentioned under 4.a. or in a written process
    a. Decision in a written process
        i. Members receive the topic/question with a written process with a minimum two-week deadline.
        ii. No reaction of an RU means abstention.
    b. Decision in meetings:
        i. Members receive a decision proposal at least two weeks in advance and decide per vote in the meeting, or by reacting in a written form before the meeting,
        ii. or topic is presented in the meeting, and members get two weeks' time to give feedback/vote.
    c. Meetings shall be organized either online or in hybrid form (with online and physical participation) to facilitate participation and reduce participation costs.
    d. The RAG can invite guests e.g. associations, international passenger RUs etc.

6. General Voting rights –Define under which circumstances an opinion is representative
    a. One vote per Railway Undertaking – not weighted per size of the undertaking.
    b. Votes are possible for every member present in the meeting or reacting within the deadline in a written form.
    c. There is no provision for an RU to act in the RAG through a proxy to another RU.
    d. Decisions are taken by simple majority.
    e. Quorum:
        i. a minimum number of three votes of independent companies is required for the vote to be valid. Note: *Independent company is: A company not connected in any way to another member of the RAG, either through shareholding or legally. Cooperating RUs, which are not connected through shareholding/legally are independent RUs (e.g. Sibelit).*
        ii. The quorum shall be relative to the size of the RAG and the number of independent RUs that are member of the RAG.
        iii. If the quorum is too high to have valid votes due to a limited number of independent company members, a lower quorum will be established by the RAG.
    f. Voting can be facilitated through polls, forms, etc.
    g. In the case of formal consultation both the majority position and the minority positions will be reported anonymised, in order to assure transparency.

7. RAG-Speaker
    a. RAG speaker represents the opinion of all Member-RUs. In case of minority opinions those shall be mentioned as well. If the RAG speaker represents his/her own RU he/she will emphasize this explicitly.
    b. In general, there is one RAG speaker and one deputy per RFC. Alternatively, co-speakers can be implemented to share the work or to better cover the geographical differences along corridors.
    c. In case of more than one RAG speaker
        i. one single contact will be named for Executive and Management Board as well as the RFC organisation,
        ii. alternatively, any RAG speaker can be contacted, and the contacted RAG speaker is obliged to inform his/her fellow spokespersons.
    d. To underline independency and neutrality of the RAG Speaker, the RFC is asked to provide a neutral Email address.
    e. RAG Speakers are elected in accordance with the procedure under Article 2 and for a term of two years The RAG Speaker will ask the organisers of the meetings to publish the minutes of said meetings within four weeks.
    f. A representative of an association could be elected as RAG speaker, but only the member Railway Undertakings have voting rights.

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