

Annual Report 2012



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European Railway Agency
Tel. +33 (0)3 27 09 65 00
Fax +33 (0)3 27 33 40 65
www.era.europa.eu

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Foreword by the Chairperson of the Administrative Board

2012 saw further improvements in the Agency's operations and governance.

The Agency's over-riding objective is to contribute to improving the competitive position of the railway sector. It does this by enhancing the interoperability level of railway systems and by developing a common approach to safety on the European railway system. This is mainly achieved through its recommendations for Technical Specifications for Interoperability (TSIs) or by using Common Safety Methods (CSM). It has progressed further through activities that support its core activities such as the development and management of its databases and registers as well as their accessibility to the public.

The importance of the Agency's role in the dissemination of railway-related information, training and in responding in a timely but orderly way to requests for training and assistance from the Commission, Member States and stakeholders has become more and more evident. There is increasing awareness of the Agency's potential as a facilitator and coordinator. These functions have an important contribution to make to realising the railway sector's part in the framework of EU acquis and strategic transport policy objectives. In short, the aim is to 'make the existing rules work'.

The Agency has a unique position in the European railway area: it is a neutral forum and it provides an ideal venue for developing an understanding of common problems and for solving them consensually. This was demonstrated at Innotrans, the world's leading railway exposition, held in Berlin in September 2012, where its work attracted great interest. It effectively confirmed its role as 'the place where all the railway actors meet'.

The year was marked by preparatory work on the Fourth Railway Package being undertaken by the Commission. The Package was being developed in connection with the EU's wish to enhance the quality and efficiency of rail services by removing the remaining obstacles to the growth-creating potential of an integrated single European railway area. The Administrative Board paid particular attention to governance issues. A small Reflection Group comprising Board members was established under my Chairmanship. Working by consensus, its purpose was to advise the Board principally on actions that might be

initiated to enable it to improve its working and thereby enable the Agency to bring greater added value to its output. The Board accepted all the Reflection Group's recommendations. Those which could be implemented without legislative amendment were put into effect immediately. Other improvements were thought to be dependent on the legislation planned for the Fourth Railway Package. The Administrative Board decided to press onwards as far as it could within existing acquis: for example, the Board attaches particular importance to ensuring a sufficient level of dissemination of railway-related information and training and clearer provision for Agency engagement in communication and dissemination of the European framework of technical and safety legislation and guidance. Pending the entry into force of the planned new legislation the Board agreed to consider a Communications' Plan which will be developed during 2013 in cooperation with its full range of stakeholders.

I am also pleased to report the continuing improvement of the Agency's internal management and control processes. The 2012 Work Programme was the first to be activity based, in line with the Board's intention to make ever greater use of activity-based budgeting and economic appraisal. The discussion on the 2013 work programme prioritisation, necessary to balance resource limits with a high workload demand, further sharpened the common understanding of the Agency's most value-adding tasks. Additionally, an Agency-wide Quality Management System was launched and we are already benefiting from the first results of its implementation. Progress has been made in addressing the recommendations of the European Parliament's Budget Control Committee and those of the Court of Auditors: there have been significant improvements in addressing the level of budget carry-overs between financial years. This has been achieved despite an underlying structural short-coming in the financial arrangements under which the Agency is obliged to operate. Furthermore, the ongoing revision of EU financial and human resources rules at EU institutional level may result in some alleviation of the more idiosyncratic constraints under which the Agency operates.



In the meantime, the Board remains acutely conscious of the potential threat to its knowledge-base posed by the likely high staff turnover arising from the terms of the Agency's Founding Regulation. This places a limit on the length of service contract available to a 'temporary' employee – typically a professional in the fields of railway safety and interoperability. 50 % of the Agency's operational staff will be so affected from 2013 to 2015.

The maintenance of a healthy relationship between the Agency, the Commission, Member States and its many other stakeholders throughout the European railway area is of critical importance for the Board. The indications are that this will become even more significant as the Fourth Railway Package assumes its final shape. The Board has been gratified by the strong support that has been shown for the Agency during the course of the consultations on the Fourth Railway Package – indeed, key representative bodies have called for the Agency to have a greater role.

This reflects well on the work of my predecessor as Chairperson of the Administrative Board. I would like to record the thanks of the Board to the contribution made by my predecessor, Mr Michael Harting, who chaired the Board between 2007 and 2012.

Members of the Administrative Board can be relied on to provide continuing support to the Agency, encouraging it to achieve its mission to make the railway system work better for society, in the interest of the European railway actors and – most importantly – end users throughout the European railway area.

Christopher Irwin
Chairperson of the Administrative Board

Introduction

The Agency's objective and role

The Agency's **core objective and role** is strictly defined in Article 1 of Regulation (EC) No 881/2004 as amended by Regulation No 1335/2008. It is:

'To contribute, on technical matters, to the implementation of the Community legislation aimed at improving the competitive position of the railway sector by enhancing the level of interoperability of railway systems and at developing a common approach to safety on the European railway system, in order to contribute to creating a European railway area without frontiers and guaranteeing a high level of safety.'

This is reflected in our vision and mission statements.

Our vision

We contribute to the creation of an integrated European railway area where Railway Undertakings can run trains and organise their transport services freely, safely, effectively and without interruption. The objective is to allow the rail transport sector to realise its inherent competitive advantages in relation to other transport modes.

Our mission

Summarised and in simple words, the Agency's mission is **'to make the railway system work better for society'**.

Agency activities

To achieve this, we prepare new and updated legislative acts for adoption by the European Commission ('the Commission'), after a positive opinion from the Railway Interoperability and Safety Committee of Member States (i) (the RISC Committee), and give other technical support to the Commission.

This work can be grouped according to three logic components that form the basis for controlling any system:

- Development (setting the standards for the desired state of the system)
- Monitoring (knowing the actual state of the system)
- Facilitation (managing the change from the actual to the desired state)

Reflecting this logic, the Agency's work can be grouped into its **generic activities**:

- Developing, promoting and monitoring harmonised approaches towards risk control across its different stakeholders;
- Developing, promoting and monitoring the interoperability of the European rail system by developing conditions for the free and uninterrupted movement of trains through technical and operational harmonisation, including conditions for the mutual acceptance of railway vehicles;
- Facilitating the exchange of information within the railway sector by networking with railway actors, providing registers and databases, issuing reports and giving guidance on the implementation of the regulatory framework;
- Evaluating ex-ante and ex-post the impact on the railway system of the intended and implemented Agency's activities;
- Supporting the progressive creation of an internal and EU external market for the provision of railway equipment and services.

(i) Established by Article 21 of Directive 96/48/EC.

To better describe the substance of the work carried out to achieve our objective, this generic framework is summarised in our **13 activities** (the Agency's Activity Based Structure):

1. Developing and promoting a common understanding of Safety Management Systems
2. Support to accident Investigation bodies
3. Developing and promoting harmonised safety certification and regulation processes
4. Monitoring railway safety performance
5. Facilitating vehicle authorisation
6. ERTMS system authority
7. Technical specifications
8. Railway staff
9. Shared databases and registers
10. Monitoring interoperability
11. Promoting a common approach to safety and economic evaluation
12. Support to agency operations
13. Agency management

Agency products (outputs)

Within the structure of these activities, the Agency provides **its products (outputs)**:

- The Agency carries out the **Management of Specifications**. This takes the form of recommendations for secondary European legislation such as Technical Specifications for Interoperability (TSIs) or Common Safety Methods (CSM) for the ERTMS and/or the ongoing maintenance of these specifications (e.g. closing open points). The Agency normally produces application guidance to accompany the formal text.
- The Agency has a constantly growing role in **Dissemination and Training**. The scope of this product covers both the broad European legal framework of the Interoperability, Train Drivers and Safety Directives and the specific texts produced by the Agency.
- The Agency has a key role as a **Facilitator and Coordinator**. It is a neutral venue and 'the only place where all the railway actors meet'. In this context it is the ideal forum for development of the understanding of common problems affecting the competitiveness of the railway sector and the building of consensus solutions and a common understanding of priorities.
- The Agency provides **Assistance to the Commission and Member States** in the development, implementation and monitoring of the framework put in place by the Interoperability, Safety and Train Drivers directives
- The Agency also delivers **Impact Assessments and Economic Evaluation** for each of its recommendations and applies and enforces the principle of pre-assessment of task requests to establish a joint understanding of the effectiveness of the intended measures and the administrative burdens they may generate.
- The Agency is charged with the **Development and Management of Databases and Registers** related to railway Interoperability and Safety and mainly destined for use by all railway actors. These include such things as the register of vehicle types, the reference document for the national rules used for vehicle authorisation and the safety certificates and authorisations databases. The Agency also provides support and advice to the Commission in respect of the notified national rules databases managed by the Commission.
- Finally, as an independent and neutral body of expertise, the Agency may be called upon to **Compile Reports and Provide Opinions** upon matters within its competence, such as national technical or safety rules and refusals by National Safety Authorities to authorise placing railway sub-systems or vehicles in service, or proposals for new measures to manage dangerous goods.

With this, the Agency is becoming the de-facto '**Railway System Specifier**' for the European Union. The achievement of the outputs planned for 2012 is described in detail in the next chapter.

A. Key Achievements of 2012

- In the activities related to **Safety**, the legislative programme initiated by the 2004 and 2008 directives was completed in 2011. The CSM for risk assessment as well as the CSM for conformity assessment and the ECM certification scheme are now in application. The CSMs for monitoring and supervision are finished and were published in November 2012. In addition, the Agency has made a recommendation on the migration towards a single certificate, a major step towards a more efficient single European railway system. Thus in 2012, the Agency entered a new phase and started concentrating on follow-up – monitoring the correct implementation of the system and dissemination activities – in short, making efforts to have the system working. One important achievement was the Final Report of the Task Force for National Safety Rules for the Commission. The Safety Unit prepared this report after clarification of open questions with all operational Units. The Joint Network Secretariat, established in 2011/2012 (formerly called Safety Platform), first identified critical safety issues where further measures are potentially necessary to pave the way for the migration plan to an SMS-based (single) safety certificate for Railway Undertakings. This was supported by the results of the NSA cross-audit pilots.

In order to avoid non-coordinated reactions after serious accidents or repetitive incidents, the Agency also started the development of a process allowing commonly agreed EU positions and action plans.

- 2012 was a key year for **making transparent and simplifying the processes and rules used for authorising railway vehicles and sub-systems**. Considerable work was put into extending the entire railway system and closing some critical Open Points of the Technical Specifications for Interoperability. This reduces the need for additional conformity assessment against national rules.

Further work was carried out on the follow-up to the DV 29 document which gives guidance to Member States on how to implement the Interoperability Directive. The workshop organised in this respect (Workshop on vehicle authorisation – Sep. 2012) gave material for further reflection which will materialise in 2013.

Based on a Template Flowchart created by the Agency, 15 national legal frameworks for vehicle authorisation were published on the Agency's website at the end of 2012 and beginning of 2013, documenting and making transparent the situation in the different Member States and providing a basis for further harmonisation.

The mandated work on the registers used for vehicle authorisation continued. In this respect, the coming live of the Register of Authorisations of Types of Vehicles (ERATV) in Dec. 2012 marked an important milestone. Furthermore, for cases where national rules remain applicable (e.g. authorisation in another country of existing non-TSI conforming vehicles), 2012 saw the completion of the Reference Document 'Database Cross-Referencing National Rules for vehicle authorisation and their equivalence'.

- The main achievement in the **ERTMS** domain was the timely completion and delivery of the recommendation on baseline 3 of the ETCS and on the GSM-R specifications in April 2012. The official handover was followed by the signature of a Memorandum of Understanding, with the Commission and the European Railway actors committing to a

series of tasks towards the further implementation of the ERTMS. In parallel the Agency finalised the Recommendation for the corresponding Operational Rules for ERTMS.

- The PRM TSI (technical specification for access to people with reduced mobility) has a specific status among the Technical Specifications developed in the Interoperability area, more related to **system access for customers**, as it is considered to be an act implementing the Convention on the Rights of Persons with Disabilities from the United Nations (UNCRPD). The preliminary draft of the revised PRM TSI was submitted for consultation to the Social Partners and public in Nov. 2012.
- **Across all domains named above**, after completion of the mandated documentation the Agency became more and more involved in the **dissemination** (briefing and training) of the European framework and the contents of the documents that it has produced and that have come into force over the last few years. The Agency has also carried out a significant amount of work **facilitating and coordinating** the resolution of **cross-sector safety and technical problems**.

With the full implementation of the European framework, the Agency was, as expected, asked to provide a significant number of **Technical Opinions** on such matters as TSI errors, compatibility of national rules with EU legislation, equivalence of national rules and refusals to authorise placing into service.

These supporting activities and products reflect the Agency's progress towards the dissemination and explanation of its outputs, aiming at 'making the existing rules work'. An indispensable prerequisite for this are the **monitoring activities** that reveal how successful the measures taken have been. As an example of the monitoring actions on various levels, the Agency assisted the Commission in checking the transposition of the Safety, Interoperability and Train Drivers Directive in the different EU Member States.

- In the **internal support domain**, a major step forward towards a Total Quality Management System in the Agency was the completion of the exercise according to the Common Assessment Framework (CAF), resulting in the deployment of the Agency's Quality Programme. The first cross-Agency core processes were finalised and implemented.
- Last but not least, and not an Agency activity but nevertheless of the highest importance, 2012 saw the last phase of the creation of the upcoming Commission legislative proposal for the 4th Railway Package to be presented in early 2013. This proposal envisages charging the Agency with new tasks, especially in the field of safety certification and vehicle authorisation, so defining an enhanced future role for the Agency.

The detailed achievements of the different outputs in the different Agency's activities are presented in the following chapters.

1. Developing and Promoting a Common Understanding of Safety Management Systems (SMS)

The concept of an SMS is a key element in the legislative framework to improve the safety performance in an open railway market, as set out by Directive 2004/49/EC (RSD). It is the designated mean for RUs and IMs to ensure the continuous control of all risks related to their activities and it forms the basis for safety certification/authorisation by NSAs. However, there is clear evidence that, three to four years after the RSD should have been implemented, different RUs and IMs are still failing to grasp the basic concepts of a good working SMS, showing different levels of understanding and application of its requirements.

Therefore, a prime activity for the Agency is to continue the

development on the understanding of the basic concepts, elements and processes that are part of an adequate SMS within the railway sector, continuously taking into account the evolving knowledge on this topic in science and other relevant safety-related sectors, and to promote this common understanding throughout Europe.

Desired impact

The Agency aims to contribute to a better understanding by all stakeholders on the functioning of an adequate safety management system and how this can help to give assurance that the risks related to operating the railway are under control.

Project 1.1: Developing SMS overall principles

The SMS guidelines provide a knowledge-building base to be used by RUs/IMs to design and implement their SMS in conformity with the requirements set up by the Safety Directive, based on the best practices adopted in the railway sector and in other high-reliability industries, also allowing for integration with other management systems. Although

mainly addressed to RUs/IMs that have to design and implement their SMS in order to obtain a safety certificate/authorisation, it is also useful to all those that have an interest in developing their knowledge in safety, or for integrated management systems (e.g.: regulatory / supervisory bodies).

Principal Outputs 2012	Legal Basis	Timing/ Frequency	Achieved
Development of SMS guidelines: <ul style="list-style-type: none"> - Development of specific guidance - Study – Identification of existing academic research on the processes that form an SMS 	SD – Art 6(3) (b)	March 2012 End 2012	SMS guidelines finalised and made publicly available The study was successfully finalised in autumn 2012. Outcomes will be used as references by ERA
Dissemination of SMS guidelines <ul style="list-style-type: none"> - Organisation of workshops 	As above	2011-2013	8 workshops organised in 2012; combined with CSM on conformity assessment, CSM on supervision and ECM certification
Dissemination of SMS guidelines: Development of web-based application	As above	Dec 2012	Web-based application completed and publicly available
Human factors network	As above	Ongoing	The network is in place but limited to experts from NIBs and NSAs 2 meetings organised

Project 1.2: Developing CSM on Risk Assessment

The Common Safety Methods on Risk Assessment (CSM on RA) provide a harmonised framework for assessing significant changes. This harmonised framework will be mainly used in the risk assessment management process of operators' Safety Management Systems.

The CSM on RA needs to be used for any change as referred to in point (2)(d) of Annex III of Directive 2004/49/EC or for change of structural sub-systems to which Directive 2008/57/EC applies which are considered to be significant changes (as defined in Regulation (EC) No 352/2009).

The changes could be technical, operational or organisational.

The CSM on RA applies to a lot of actors – RU, IM, ECM, manufacturers, assessment bodies and NSA.

As a consequence of the Agency's report, delivered to the EC and referred to in Article 9(4) of Regulation (EC) No 352/2009 on CSM on RA by the end of 2011, the key objectives of the CSM on RA project in 2012 are:

- The delivery to the EC of the Agency recommendation on the revision of Regulation 352/2009/EC on CSM on RA by the end of April 2012, taking into account the inputs received from the consultation of the social partners and NSA.
- The delivery to the EC of a progress report on the development of risk acceptance criteria to be used in explicit risk estimation for operational issues, by the end of 2012.
- The delivery to the EC of a progress report on the development on links between the risk acceptance criteria developed for technical systems and their acceptable availabilities, by the end of 2012.
- The delivery to the EC of a report on the feedback on the application of the CSM on RA collected by the Agency during 2012.

Principal Outputs 2012	Legal Basis	Timing/ Frequency	Achieved
Revision of 352/2009/EC - Recommendation - Accompanying report - Impact Assessment - Support to EC	SD – Art 6(3)(a) SD – Art 6(4) Mandate 04/49- MA05-EN03	Apr 2012/ Dec 2012	Completed. The support to EC continued at the beginning of 2013 as the vote in RISC was postponed to January 2013
Revision of Regulation No 352/2009 Prepare dissemination	As above	Dec 2012	Study on collecting examples completed
Development of Risk Acceptance Criteria (RAC) - RAC for technical issue	As above	Dec 2012	No agreement to include in the revision of Commission Regulation (EC) No 352/2009. New Agency initiative: Drafting of a technical note to be published in 2013
Development of Risk Acceptance Criteria (RAC) - RAC for operational issues - RAC and availability criteria	As above	Dec 2012	Study on current good practices completed
Feedback from the first application – Return of feedback	As above	Dec 2012	Postponed to 2013

Project 1.3: Developing CSM on Monitoring

The CSM on monitoring projects aims at harmonising safety monitoring methods for the railway sector.

The common monitoring method for the railway sector is, in the first instance, addressed to the railway undertakings; it is also intended to address other actors, such as the ECM and the manufacturers as part of the interface management process.

As a consequence of the delivery to the EC of the Agency recommendations on the CSM on monitoring by the end of 2011, the key objectives of the CSM on monitoring projects in 2012 are:

- The support to the EC for drafting the EC regulations on the CSM on monitoring;
- The elaboration of a programme and of materials for the dissemination of the CSM on monitoring.

Principal Outputs 2012	Legal Basis	Timing/ Frequency	Achieved
Adoption of CSM on monitoring	SD – Art 6(3)(c)	2012	Completed The Commission Regulation on CSM on monitoring was adopted in November 2012
Dissemination programme and materials	SD – Art 6(3)(c)	Dec 2012	Drafting of guidelines to be finalised in 2013. Preparation of materials for combined workshops in 2013 and 2014



2. Support to Accident Investigation Bodies

Article 1 (Purpose), citations (23) to (25) and Article 19.1 of the Railway Safety Directive (RSD) require National Investigating Bodies (NIBs) to be established, to investigate serious accidents (and accidents that under different circumstances might have led to serious accidents), and to make recommendations where appropriate in order to maintain or improve European railway safety.

The ultimate objective of these investigations is the improvement of railway safety and the prevention of accidents. A correct application of the investigation framework set out in the RSD, whereby all concerned organisations recognise and accept their own and each other's roles and responsibilities in investigating accidents and incidents, can contribute to a sustainable and safe development of the railway system in Europe.

From 2004 the EU countries have started to organise their NIBs according to this Directive. Almost all EU countries have a National Investigating Body in place to investigate accidents.

Together with these NIBs, the Agency provides support to the Commission and to the NIBs by organising and facilitating NIB

cooperation and by gathering and analysing data from the NIBs.

Desired outcome

The Agency aims to support the NIBs' capabilities in, and performance of, their primary role of investigating accidents. The areas where support will be given, and where benefits are expected, are the development of guiding principles for the conduct of railway accident investigations by the NIBs, the training of accident investigators, the analysis and feedback on investigation reports, the development and implementation of harmonised practices for accident investigation through voluntary assessments and the promotion of an understanding by the NIBs of the concepts, processes and practices relating to SMSs, TSIs and the ERTMS.

The impact of these initiatives will be an improved efficiency and effectiveness of the NIBs in performing their duties, and an increasing European harmonisation of NIB process and practice.

Project 2.1: Harmonising overall NIB principles

Working closely with the NIBs, and covering the scope of accident investigation as laid down in the RSD, the Agency has developed a set of guiding principles relating to the fundamentals of accident investigation, from European and international best practices. This will form the foundation for the continued work of developing guidance to key parts of RSD relating to the process of investigating and reporting investigation data in a common manner. It will also

form the foundation for the content of the programme of modular courses for the training of accident investigators in Europe. Lastly, the project will cover the analysis of accident investigation reports and the feedback of the outcome to the NIBs concerned, and the promotion among the NIBs of awareness into SMSs, TSIs, and the ERTMS.

Principal Outputs 2012	Legal Basis	Timing/ Frequency	Achieved
Guiding principles for the fundamentals of accident investigation	AR – Art 5 SD – Art 21(7)	1st Q 2012	Completed and accepted
Guidance to the NIBs on aspects of the RSD – Articles 22 and 24.	As above	4th Q 2012	Completed and published in a combined guide
Development of a further two course modules for accident investigator training (modules 3 and 4, following on from 1 and 2 done in 2011)	As above	3rd Q 2012	Modules 1 and 5 completed; module 10 started
Execution of four training courses within the common European framework	As above	Ongoing	First training course successfully delivered
Analysis and feedback on investigation reports	As above	Ongoing	Yet to start
Promoting the awareness of SMSs, TSIs, ERTMS: delivery of a roadmap for NIBs on SMSs and TSIs	As above	4th Q 2012	NIB technical information network established

Project 2.2: Promoting cooperation and providing assistance

The Agency will carry on organising the Network of NIBs to coordinate and promote their participation in the tasks of Project 1 above. This will involve workshops with the NIBs on dedicated topics related to Project 1, the organisation of the NIB Network and its meetings, including joint meetings with the NSA network where appropriate, and providing assistance to the NIBs upon request.

In particular, the Agency will further develop a network of human-factor experts, and promote their use by the NIBs, as well as complete the work on developing and implementing a policy to regulate the Agency's response to major serious accidents in Europe.

Principal Outputs 2012	Legal Basis	Timing/ Frequency	Achieved
Organisation of the NIB Network and its meetings	AR – Art 5 SD – Art 21(7)	Ongoing	Three plenary meetings organised
Workshops with the NIBs on selected topics	As above	Ongoing	Workshops organised on selected topics
Development and implementation of the policy for the Agency's response to major serious accidents	As above	4th Q 2012	TF to develop a quick response procedure started
Promotion of the use of human-factor expertise by the NIBs	As above	Ongoing	Participation of NIBs in HF network



3. Developing and Promoting Harmonised Safety Certification and Regulation Processes

Railway safety within Europe is built on the mutual acceptance of certificates and authorisations for RUs/ECM and IMs issued in single Member States. This requires a similar approach to certification and regulation, an equivalent level of performance and a high degree of mutual trust amongst NSAs and between other certification bodies. Recent findings, however, show a great variety in approaches and a different level of maturity of NSAs in different Member States, sometimes even hindering the further development of an open European railway market.

A prime activity for the Agency is therefore to continue the development and harmonisation of the core safety certification and regulation processes that form part of

the safety regulatory framework, continuously taking into account the evolving knowledge on this topic in science and other relevant safety-related sectors, and to promote this harmonised approach throughout Europe.

Desired outcome

The Agency aims to contribute to an accelerated harmonisation of safety certification and regulation processes throughout Europe and an enhanced understanding and respect of the role and responsibility of all stakeholders within the safety regulatory framework.

Project 3.1: Developing overall principles for certification and regulation

To enable RUs to operate freely throughout Europe, the activities of NSAs should be harmonised in all Member States. Therefore, the objectives of this project are to:

- harmonise the different levels of performance among the NSAs, facilitating the development of an open European market;
- facilitate harmonisation of the NSAs' decision-making criteria and processes, described in Article 16 of the Safety Directive;
- exchange and learn from best practices (which have been put in place by the most mature NSAs) and propose solutions to overcome identified problem areas.

Principal Outputs 2012	Legal Basis	Timing/ Frequency	Achieved
Ongoing harmonisation of NSA processes – benchmark study of existing promotion and enforcement activities resulting in guidance on promoting and enforcing the safety regulatory framework	SD – Art 6(3)(b) AR – Art 21	Dec 2012	Study completed and results under discussion in the TF 'Assessment & Supervision'
Ongoing harmonisation of NSA processes – study on identification of existing academic research on regulatory bodies and (safety) supervision activities	SD – Art 6(3)(b) AR – Art 21	Nov 2011-Apr 2012	Study ongoing, results expected in spring 2013
NSA Network activities – supporting the exchange of views and experience amongst NSAs in application of RSD 17.4 and AR – Art 6.5	SD – Art 17(4) AR – Art 6(5)	Ongoing	Four plenary meetings and several workshops organised
NSA survey – focusing on their setting up, legal powers and competences and on how in practice their activities are developed, based on the Safety Directive	SD – Art 17(4) AR – Art 6(5)	Dec 2012	Organisational questionnaire integrated into NSA cross-audit framework
Migration strategy – follow up of project plan	SD – Art 10(7) AR – Art 9(2)	Ongoing 2011-2016	Recommendation for the migration towards a single certificate addressed to the Commission

Project 3.2: Developing CSM on Conformity Assessment

The Common Safety Methods on Conformity Assessment (CSM CA) provide a harmonised framework for NSAs to assess the SMS of RUs and IMs prior to the award of a safety certificate/authorisation and provides the basic principles for NSA supervision of safety performance after the award of the certificate/authorisation, which will be developed further in the CSM on Supervision.

The CSMs also establishes the hierarchical relationship between Part A and Part B safety certificates and fixes a common NSA approach to awarding Part B certificates. It

also provides a transparent approach so that RUs and IMs know how their applications for certification will be assessed and the basic principles for how their performance will be assessed afterwards. This harmonised approach is an important building block towards the functioning of an open European railway system, for the development of a regime based on a single safety certificate and a greater role for supervision activity by the NSAs.

Principal Outputs 2012	Legal Basis	Timing/ Frequency	Achieved
CSM CA guidelines – dissemination	SD – Art 6(3)(b)	June 2011- Jul 2013	The initiative of organisation-combined workshops in Member States continued in 2012
Feedback from the first application		Ongoing	First feedback collected through bilateral meetings with several NSAs in the context of dissemination workshops, discussions in dedicated TF and NSA cross-audit activities



Project 3.3: Developing CSM on Supervision

In order to promote and improve safety, NSAs need to build a relationship with the RUs and IMs that starts with the assessment of their applications and the issuing of a safety certificate/authorisation. However, to obtain a complete picture of the risk profile and the potential safety performance of the railway system within a Member State and of the different players in this system, NSAs need also to perform supervisory activities, using different monitoring sources as an input.

By performing these activities, the NSA can provide the Member State's government and the public in general with a source of independent advice on railway safety issues.

The Common Safety Methods on Supervision (CSM SU) provide a harmonised framework to be used by the NSAs for monitoring and supervising the delivery of safe operations by RUs and IMs and the efficiency of their SMS.

Principal Outputs 2012	Legal Basis	Timing/ Frequency	Achieved
Dissemination of CSM SU: - Dissemination material - Dissemination programme	SD – Art 6(3)(c)	Dec 2012	Guidance on the CSM developed and published; dissemination covered in combined workshops in different Member States

Project 3.4: Developing ECM certification scheme

The ECM certification scheme provides a harmonised framework for the mandatory certification of entities in charge of maintenance for freight wagons and the voluntary certification of workshops and other ECM maintenance functions. This certification scheme is an important building block towards safe European wide freight transport.

Principal Outputs 2012	Legal Basis	Timing/ Frequency	Achieved
Dissemination of ECM certification: - Dissemination material	SD – Art 14(a)(5)	2012-2013	A Guideline was published. This guideline will be revised in 2013
Dissemination of ECM certification: - Dissemination programme	As above	2012-2014	Six workshops were organised in 2012, combined with dissemination workshops on SMS, CSM conformity assessment and CSM on supervision One workshop was organised for component suppliers and maintainers
Feedback from implementation	As above	2012-2018	Data collection initiated for reporting in 2013 and 2014
Cooperation of certification bodies	As above	Ongoing	Three plenary meetings organised 26 certification bodies participated Definition of task forces on clarifications in ECM certification scheme for 2013

Project 3.5: Coordination of the Accreditation Framework

The accreditation framework, with the different schemes mandated by current and future legislation, based on reference standards (EN 45011, ISO 17000 series, etc.) and the specific provisions that make them adaptable for the railway sector, is expected to provide a reliable basis for the adoption of a consistent approach to accreditation all over Europe, in such a way to increase mutual trust among the interested parties.

Principal Outputs 2012	Legal Basis	Timing/ Frequency	Achieved
Development of accreditation schemes for: ECM, ISA, training centres and ERTMS testing laboratories	SD – Art 6 14(a) AR – Art 6 16(a)	Ongoing	The ECM accreditation scheme was validated by EA (European Co-Operation for Accreditation) in May 2012.
Development of training for accreditation bodies	As above		One training on ECM certification



Project 3.6: Ensuring consistency between EU legislation and national legislation of candidate countries and potential candidate countries (enlargement-policy countries), as well as with corresponding legal frameworks given by international organisations like OTIF, UNECE, OSJD

Monitoring developments at UNECE level (transport of dangerous goods, security, unified railway legislation, telematics, etc.); on an OTIF-level, appendix C: RID, tank and vehicle technology; and on an OSJD level: for candidate and potential candidate countries: IPA Project

Principal Outputs 2012	Legal Basis	Timing/ Frequency	Achieved
Monitoring developments at the UNECE, OTIF, OSJD levels	AR – Art 30(2)(b)	Ongoing	<p>Consistency among legislative systems</p> <p>Consistency check with EU legislation the following OTIF documents were adopted in 2012:</p> <ul style="list-style-type: none"> - Uniform technical prescription (UTP) for freight wagons - UTP for rolling stock, noise - UTP for assessment procedures - Amendment of the national vehicle specification - RID 2013 version <p>Ongoing OTIF-RID works:</p> <p style="padding-left: 20px;">TAF TSI message on dangerous goods</p> <p>Within a framework of OSJD-ERA collaboration in 2012:</p> <p>Analysis of the basic parameters for the technical and operational compatibility of the 1520 mm and 1435 mm gauge rail systems at the CIS-EU border for the Control Command and Signalling sub-system has been prepared</p> <p>Ongoing OSJD-ERA works:</p> <ul style="list-style-type: none"> - Draft analysis of the basic parameters for Passenger Rolling stock sub-system have been brought to the final stage in 2012 and are to be finalised in 2013 - Work on the Analysis of the basic parameters for the Operation and Traffic Management sub-system was started at the end of 2012
IPA-Project, ongoing works according to EC planning	AR – Art 30(2)(b)	Ongoing	<p>Development of a new WP for 2012/2013 following the budget, several study visits, seminars and workshops, six trainees at ERA premises; Croatia is prepared before accession to the Union</p>

Project 3.7: Assist EC in monitoring/assessment of the regulatory framework

Within monitoring the implementation of European legislation, the European Railway Agency assists the European Commission in assessing, in all Member States, the transposition of the Railway Safety Directive, the Interoperability Directive and the Train Drivers Directive.

Based on the Directives and the Agency Regulation, the European Railway Agency provides safety-related technical

examinations/opinions upon formal request from the European Commission.

Based on a European Commission mandate, the European Railway Agency was requested to assess the publication and availability of national rules.

Principal Outputs 2012	Legal Basis	Timing/ Frequency	Achieved
Evaluation of the transposition of the Railway Safety Directive (2004/49/EC)	AR – Art 30(2)(b)	Ongoing and on request Dec 2012: general report	Completed: report on the compliance check of national transposition of the Railway Safety Directive communicated to the Commission on 19 March 2012 (short overview of the main findings and some conclusions about the transposition of the Directive) Support to the Commission in its exchanges with the Member States
Evaluation of the transposition of the Interoperability Directive (2008/57/EC)	AR – Art 30(2)(b)	Ongoing and on request Dec 2012: general report	Most of the transposition checks of the Interoperability Directive were finalised. It still remains for several evaluations to be conducted in a couple of MS Support to the Commission in its exchanges with the Member States
Evaluation of the transposition of the Train Drivers Directive (2007/59/EC)	ID – Art 9(a) & AR – Arts 8 & 17 (3)	Ongoing and on request Dec 2012: intermediate report (Dec 2013: final report)	The intermediate report presents the results of a targeted evaluation focused on selected provisions determined in coordination with the European Commission Missing parts will be added to have a final report at the end of 2013
Safety-related technical examination/opinion	AR – Art 10, Dir 2001/14/EC, Arts 30, 35, Dir 91/440/EEC, Art 11a	On request	No request was received in 2012.
Assessment of the publication and availability of the National Safety Rules	2.3.5 of the Framework Mandate	On request	Issue of the final Report from the Task Force for National Safety Rules (NSR): Clarifications, suggestions for good practice and proposals for legal changes aimed at a simplification of national rules and improving their transparency Among others, the report clarifies the links between national rules (and how to simplify these links) under Directives 2004/49/EC (NSR), 2008/57/EC (NTR), 98/34/EC (product rules) and 2008/69/EC incl. RID (provisions on the transport of dangerous goods) In 2012 the Agency started promoting this approach. In 2013-2015 the dissemination to all MS is foreseen, as well as related follow-up activities

Project 3.8: Assist MS/NSA in correct development, implementation and harmonization of EU legislation especially regarding National Safety Rules and information to relevant stakeholders on request

Assessment of the content and the practical implementation of EU legislation in MS regarding NSR; Guidance for the justification, establishment and transparency of NSR. Assisting the Commission with the conduct of the Task Force for National Safety Rules and the drafting of the Final Report.

Principal Outputs 2012	Legal Basis	Timing/ Frequency	Achieved
Final Report from the Task Force on National Safety Rules	AR – Art 21b	2011/2012	See 3.7
Evaluation of NSR and re-newed NSR	AR – Art 6	Ongoing and on request	Remaining backlog of incomplete evaluations will be tackled in 2013 and 2014 Note: IT will be modified to make available any NSR that have not yet been evaluated
Develop Guidance for MS		Ongoing	Completed (included in the Final Report from the NSR Task Force)



4. Monitoring Railway Safety Performance – Processes and Outcome

In the application of Article 9 of the Agency Regulation, the Agency is charged with monitoring safety performances at the European Community level. In order to develop a complete and consistent safety approach, this monitoring should combine the analysis of safety results through common safety indicators and common safety targets with the monitoring of compliance with, and the effectiveness/efficiency of, the legislative framework that is set out by the European Union.

The legislative framework that is set out by the RSD is the translation of the EC's intent to regulate railway safety on paper, but this only becomes meaningful ('law in action') when it is backed up by mobilisation of the correct Member State powers through, for example, the activities of NSAs and NIBs. If the EU, as lawmaker, wants the necessary assurance that the system is working as intended to fulfil the aim of continuous improvement, safety processes and outcomes should be the focus of monitoring.

A prime activity for the Agency is therefore to initiate and develop a framework for monitoring safety performance not

only by looking at safety results but also at the functioning of the core elements and processes that are part of the safety regulatory framework as introduced by the RSD and related EU legislation.

Desired outcome

The provision of reliable and robust data to serve as reference to assess the achievement of common safety targets. Improvement of the core processes of NSAs and NIBs through audits and assessments with the aim of increasing trust and quality, and improving and harmonising safety and performance.

Project 4.1: Monitoring safety performance outcome

The monitoring of safety performance through the common safety indicators and the evaluation of performance through the common safety targets is a key element in developing safety on European railways.

CSI data will be based on the common definitions for all Member States and reported to the Agency by the end of September each year. The automatic data quality-control tools, developed during 2011 and used by the NSAs when reporting the CSI data, was further refined.

During 2012, a new system, ERAIL, for accident investigation reporting was launched and upgraded. The system will be used by the national investigation bodies when notifying the agency of opened investigations. The system brings a new range of possibilities for monitoring safety and disseminating the lessons learnt from accident investigation.

Principal Outputs 2012	Legal Basis	Timing/ Frequency	Achieved
Assessment of second set of CSTs	Commission Decision 2010/409/EU	Yearly	Done in March 2012
Launch of ERAIL system		Jan 2012	Completed in July 2012
Upgrade of ERAIL	AR – Art 9(2)	Sept 2012	Completed
Upgrade of CSI data quality tools	AR – Art 9(2)	May 2012	Completed

Project 4.2: The NSA cross-audit programme

To be able to harmonise and optimise the safety regulatory framework at EU level, all stakeholders need to have an overview of its effectiveness. Only an objective oversight function, that assesses the activities of NSAs (and NIBs) in all Member States, in a structured and transparent way, will be able to provide all stakeholders with this necessary overview. This systematic control element at EU-level is missing in the existing safety regulatory framework.

The cross-audit framework, in which the Agency supports

the transformation of the NSA peer review activities into a more structured and effective approach, where mixed teams of NSA and Agency staff perform in a five-year cycle cross-audit of NSA processes put in place in all Member States can address this issue. In addition, the initiative will accelerate the harmonisation of NSA processes as foreseen by RSD Art 17.4 and therefore also contributes to the Agency's activity for developing and promoting harmonised processes for certification and regulation.

Principal Outputs 2012	Legal Basis	Timing/ Frequency	Achieved
Support for the Audit Committee	SD – Art 17(4)	Ongoing	Complete review of the NSA cross-audit framework after the successful conduct of five cross-audit pilots Full cross-audit cycle to start in 2013
Conduct four pilot cross-audits	AR – Arts 6(5), 21(b)	December 2012	



Project 4.3: Survey and assessment of NIB activities

The Railway Safety Directive requires NIBs to be established, investigate serious accidents and to make recommendations where appropriate in order to maintain or improve railway safety. In order for the Agency to be able to support the NIBs in this task and to fulfil their requirements, it is imperative to understand the way the NIBs work, how investigations are carried out and what the needs are.

NIB surveys aim at collecting information and provide a framework for a communication around their activities and organisation. The objective of the assessment of NIBs is to help them achieve the above objectives by giving them support in identifying changes that will improve their efficiency and effectiveness.

Principal Outputs 2012	Legal Basis	Timing/ Frequency	Achieved
Conducting four NIB assessments	AR – Arts 9 and 33	Quarterly	So far an organisational survey has been done with 16 NIBs In addition, a voluntary assessment programme has been developed and completed with one pilot assessment



5. Facilitation of Vehicle Authorisation

Vehicle authorisation is currently recognised as a complex, expensive and time-consuming process. The associated uncertainty and delay in some projects have led to expressions of concern at the highest levels in the railway sector.

The Agency's report on the existing vehicle authorisation processes identified that in many countries the TSIs and the authorisation process of the Interoperability Directive were being applied in parallel with, instead of as a replacement for, traditional 'homologation' processes and associated national rules. This created uncertainty and duplication of checks for the applicants and confusion about the roles and responsibilities of the actors.

In 2011 the Commission, with the help of the Agency, published Recommendation 2011/217/EC which clarified several elements of the authorisation process and has been much appreciated by the stakeholders. Following on from this in late 2011 and 2012 the European Commission set up the Task Force on Vehicle Authorisation. This task force – chaired by the Commission, supported by the Agency and comprising of representatives from the sector, the NSAs and the Ministries – met 5 times between September 2011 and June 2012. It examined a number of case studies and produced 31 recommendations in 4 subject areas:

- A. Implementation of EU law
- B. Roles and Responsibilities
- C. Rules
- D. Processes

13 of the recommendations are actions covered in the Agency Work Programmes 2012 or 2103, the remaining actions rest with the Member States or the Commission.

Together in 2012, the initiatives of the Task Force and the Agency's work in the areas of rules and authorisation processes made a significant contribution to the ongoing simplification of vehicle authorisation.

Working with the stakeholders, the Agency in 2012 also paid particular attention to lessons learned from the early ETCS and GSM-R implementations in order that the requirements for ETCS and GSM-R may be made transparent and that technical incompatibilities between existing ETCS and GSM-R installations are not repeated in future projects. It is essential that onboard GSM-R and ETCS that conform to the CCS TSIs may operate on TSI-conforming routes without extra verifications, tests and checks.

Desired Outcome:

- The implementation in every Member State of the common, mutually recognised vehicle authorisation process prescribed by the recast Interoperability Directive and the Commission Recommendation 2011/217/EC.
- The publication in the Reference Document (including its application guide) of the national legal frameworks describing the application of this process in each Member State.
- A single, transparent and exhaustive list of parameters to be checked for vehicle authorisation and route compatibility.
- Transparent and non-discriminatory national rules for each of these parameters notified according to the Directives.
- Full classification and mutual recognition of the equivalences between the respective national rules and between these rules and the TSIs covering these parameters.
- Elimination of unnecessary, duplicative or redundant checks and processes (including wherever possible elimination of the need for on-track tests).
- Guidance to ensure consistent application of EU regulations covering vehicle authorisation.

Resulting from the above there should be a progressive and measurable simplification of the vehicle authorisation process and a corresponding reduction in its duration, cost and uncertainty.

Project 5.1: Facilitating the Simplification of Vehicle Authorisation processes

Prior to the adoption of the recast Interoperability Directive a mixture of two authorisation processes were applied in most Member States:

- Parts of the processes were based on the Interoperability Directive and TSIs (where they existed), this tended to apply only for the TSI-compliant part of the network or the Trans European Network (TEN).
- Other parts of the processes kept close to national rules (often derived from the old national railway company 'homologation' procedures) to cover off TEN parts of the network.

This created a complex, uncertain, time-consuming, and expensive set of authorisation processes in each Member State each with different rules, procedures, roles and responsibilities.

With the implementation of the recast Interoperability Directive, a single harmonised European authorisation process, including the concepts of Type Authorisation and

mutual recognition of national rules (cross-acceptance) has been put in place to cover all the European Railway System. This should lead to a substantial simplification of the authorisation processes.

Following on from Commission Recommendation 2011/217/EC on the authorisation process that was published in 2011, in 2012 the Agency developed a template flow chart describing the European process for vehicle authorisation. This flow chart has been used to document, in a common format, each Member State's National Legal Framework (NLF) for vehicle authorisation. By the end of January 2013 15 Member States' NLFs had been published as PDF documents on the Agency's website. The full set is expected to be completed by Easter 2013. During 2013 they will be transferred into the Reference Document Database (RDD) to facilitate easier access and comparison between Member States.

Principal Outputs 2012	Legal Basis	Timing/ Frequency	Achieved in 2012
Disseminating the common understanding of the authorisation process	AR – Art 21b	Ongoing	Dissemination delivered using Geographical Interest Groups of Member States and bi-lateral discussions with each MS about their National Legal Framework for authorisation. 15 NLFs published on the ERA Website end Jan 2013.
Publishing the National Legal Frameworks for vehicle authorisation in the Reference Document	EC Decision 2009/965	Ongoing	
Assisting the Commission in the management of the High Level task force on Vehicle authorisation (to be defined)	AR – Art 21b	To be agreed with EC	5 Meetings of Task Force. Report published July 2012. 31 Recommendations made and progressed. Workshop on Authorisation and progress report on Task Force held Feb 2013. No opinions requested
Providing a Technical Opinion in the case of a decision by a competent national safety authority refusing the placing in service of a railway vehicle	AR – Art 10.2 (b)	As requested	
Report on authorisation of types of vehicle and authorisation for placing in service on the basis of conformity to type	Art 26, RISC MoM 60 and 61	Q1 2012	Report presented in a workshop in Feb. 2012 and submitted to RISC 64



Project 5.2: Facilitating the Publication and Evaluation of National Technical Rules including Rules used for Vehicle Authorisation

Pending the extension of scope of the TSIs to OFF-TEN, the closure of all open points in the TSIs and the full conformity of all vehicles and networks with those TSIs, there remains a need for National Rules to be used for additional authorisation of existing sub-systems and vehicles and ongoing maintenance of the essential requirements. The Agency has a role in the publication and evaluation of those rules. Firstly, by specifying the parameters to be covered by rules for vehicle authorisation, secondly, by facilitating the mutual recognition of equivalence of the rules covering these parameters and thirdly, by facilitating the national adoption of common rules (TSIs, ENs etc.).

As part of its responsibilities for the management and maintenance of the Reference Document, cross-referencing all the national rules applied by the Member States for placing vehicles in service, (see also the 'Activity Databases and Registers') the Agency facilitates classification of the equivalence of National Vehicle Rules between Member States. It does this by supporting and facilitating Member State Geographical Interest Groups. These are organised around geographical zones (e.g. the Nordic Region) or Corridors (e.g. Corridor A Rotterdam-Genoa) according to local business needs.

During 2012 about 30 meetings involving five Geographical Interest Groups took place. With the introduction of Version 3.1 of the Reference Document Database (RDD) in February 2013, the classification of the vast majority of the rules of Corridor A (Rotterdam-Genoa) Member States, the BeNeFLuchE group (Belgium, Netherlands, France, Luxembourg, Switzerland and Spain) and the NORDIC Member States will be published. In 2011, work commenced with classifying the Eastern European Member States rules and in 2013 the remaining Member States (principally the UK and Baltic States) are planned to start classification work.

Principal Outputs 2012	Legal Basis	Timing/ Frequency	Achieved in 2013
Publishing and maintaining the list of parameters to be checked for vehicle authorisation	AR – Art 27	Updates as required in synchronisation with changes to TSI and register parameters	First proposals for update put to Working Party in 2012. Awaiting finalisation of scope extended TSIs (June 2013) to ensure synchronisation of parameters with TSIs.
Facilitating the evaluation by NSAs of the equivalence of national rules used for vehicle authorisation	SD – Art 17(4)	Ongoing	5 Geographical Interest Groups (GIGs) involving 19 Member States in place to evaluate the equivalence of rules. 30 GIG meetings in total held during 2012.
On request of the Commission and EFTA surveillance authority evaluation of National Technical Rules submitted for notification	AR – Art 21(b)	Ongoing	About 80 Technical rules were submitted by MS for pre-evaluation in 2012, but due to bugs of NOTIF-IT Evaluation had been stopped until the bugs were solved at the start of 2013. Evaluation will start again but with no deadline due to staff shortage and it is thus questionable if the rules submitted in 2012 can be pre-evaluated by the Agency in 2013 Two notifications from EFTA Member States, received via letter and an e-mail from the EFTA Surveillance Authority, was evaluated and an answer provided to the EFTA Surveillance Authority
Providing Technical Opinions on the Equivalence of National Technical Rules	AR – Art 10.2 (a)	On request	No separate request, in addition to the support granted to MS participating in GIG meetings, was received in 2012
Facilitating – through studies, workshops, research proposals and recommendations – a common approach to the evolution of national technical rules in specific subjects where the current level of diversity inhibits mutual recognition. (e.g. EMC)	AR – Art 27	Ongoing	Agency chairmanship of the Trio Train Advisory Board facilitated the closure of open points in TSIs and the evolution of national rules covering aerodynamics, pantograph-overhead lines and running dynamics interfaces Proposals made to DG Research for research in EMC Analysis carried out on the relationship between parameters to be checked in conjunction with the authorisation of railway vehicles and the technical compatibility with infrastructure and fixed installations – draft distributed in 2012, final report expected for 2013 Study carried out on national rules applied by MS to authorise ERTMS, the study aims to make MS aware about the different approaches taken and where some MS identified the need to have national rules, draft distributed in 2012, final report expected for 2013

6. ERTMS System Authority

The European Railway Traffic Management System (ERTMS) is a major industrial project at the forefront of the EU agenda for an interoperable railway system and the progressive establishment of an open market in the sector.

The system is based on two technological and operational pillars: ETCS, the harmonised European Train Control System, and GSM-R, the radio communication system for a voice and data application based on the worldwide GSM standards.

2012 has been a crucial year for ERTMS, with the successful conclusion of four years of intense work, culminating with the release of the ETCS Baseline 3 in April, the positive opinion of EU Member State representatives in June, and the adoption and publication of the corresponding EC Decision in the Official Journal in November. These achievements were possible thanks to the widespread and strong support for ERTMS in the sector and from all the stakeholders, and a strong coordination and strong commitment from DG MOVE and the European Coordinator.

For the first time the Operational principles and rules for ERTMS were developed and finalised in parallel with the technical specifications: In July 2012 the Agency delivered the recommendation to update Annex A of the TSI Operation and Traffic Management with the ERTMS operational rules, which are structured in a single set of rules applicable for all operational situations with Baseline

2 or Baseline 3 tracks and trains.

In April 2012, following the official delivery of the ERTMS Recommendation to the Commission, the Agency signed the new Memorandum of Understanding on ERTMS, together with the European Commission and the Sector Organisations: this common declaration of intent spells out the commitment of the parties to the European standard, and lays down the principles for successfully managing its deployment.

Also in the ERTMS field, the Agency is shifting the focus to training, monitoring and follow-up, to help the Commission and the Authorities ensure the effective implementation and when necessary, identification of deviations. We have reinforced the cooperation with DG MOVE and the TEN-T Executive Agency to provide technical expertise in the evaluation of the projects receiving financial support from Europe. This enables us to get detailed information on the implementation of ERTMS and allows us the possibility to give advice on their compliance in a targeted manner. DG MOVE has requested an external evaluation concerning the follow-up to the TEN-T funded projects, and the role of the Agency as a coordinator for this activity has been retained as an option to be analysed.

We have helped at the technical level, and with the organisation of a dedicated workshop, the initiatives DG MOVE and DG CONNECT to analyse the cases of interferences for GSM-R and possible solutions.

Desired outcome:

A full set of harmonised specifications for ETCS and GSM-R;

A full set of operational principles and rules for ETCS and GSM-R;

A renewed commitment with the Sector on ERTMS deployment;

The collection and dissemination of best practices regarding engineering the system

Support to EC and TEN-T EA to ensure effective implementation of ERTMS-compliant projects

Support to the ERTMS Coordinator in its work and initiatives to foster an harmonised deployment of ERTMS in Europe.

Project 6.1: Change Control Management and database of Change Requests

The management of a shared system at European level requires transparent, accountable principles implemented in an effective process to ensure the collection, analysis and resolution of thousands of reports and requests affecting the harmonised standards. This process is defined by the Agency's Change Control Management procedure, and entails the support and cooperation from the Sector and the NSA, together with the establishment and management of a database for reporting Change Requests (CR) and to control allocation of shared work items.

Principal Outputs 2012	Legal Basis	Timing/ Frequency	Achieved
Periodic reports on the status of the CR in the database.	AR – Art 21(a)	Monthly	Completed
Approval via CCM of ETCS and GSM-R specification documents		2nd Q 2012	Completed earlier than planned

Project 6.2: Support to the EC as per art. 21(a)

Develop the version management strategy separately for ETCS and GSM-R; assess the migration mechanisms for the early implementers of ETCS in consequence of Decision 2008 on the adoption of 2.3.0d for ETCS; support the EC in developing the EU deployment plan for ERTMS and coordinating the installations along Corridors. Cooperation with DG Move and DG Connect to understand and work on possible solutions regarding GSM-R interferences.

Activities contributing to the Steering Committee set up by the European Coordinator for ERTMS. Support to other Units.

Principal Outputs 2012	Legal Basis	Timing/ Frequency	Achieved
Report on Baseline 3 (ERTMS/ETCs) and Baseline 0 (GSM-R) version management	AR – Art 21(a)	4th Q 2012	Completed (draft)
Workshop on GSM-R interferences and continuous work in 2013		4th Q 2012	Workshop held

Project 6.3: Verification and authorisation survey

In cooperation with NoBos and NSA evaluate, the processes for the verification and authorisation of ERTMS. Recommend appropriate measures to the EC in case of a risk of incompatibilities between network and vehicle installations.

Evaluate and follow up the certifications.

The Agency chairs an ad hoc working group of notified bodies with a view to check the EC verification procedures carried out by notified bodies in the context of specific ERTMS projects.

Principal Outputs 2012	Legal Basis	Timing/ Frequency	Achieved
ERTMS conference 2012 recommendations to EC if needed	AR – Art 21(a)	December	Completed (Ongoing activity)

Project 6.4: ETCS Baseline 3

Develop and validate the complete set of technical specifications for the ETCS Baseline 3, in cooperation with the sector organisations, contracting testing to external laboratories, leveraging on coordinated and partially TEN funded support from the ERTMS Users Group.

Principal Outputs 2012	Legal Basis	Timing/ Frequency	Achieved
Release of the updated specifications for Baseline 3, including test cases	AR – Art 21(a)	2nd Q	Completed (B3 test cases mid-2013 in line with MoU)
Revision of the ETCS Operational Rules		2nd Q	Completed – Recommendation issued

Project 6.5: GSM-R next baseline

Classify the requirements in the current EIRENE specifications, review them with the sector and the UIC, following the implementation of the GSM-R MoU signed in October 2010, use a structured tool based on Excel macros, to compile the final format of the new specifications.

Organise the discussion on the time plan for the evolution to new technology while preserving the functional interoperability requirements.

Principal Outputs 2012	Legal Basis	Timing/ Frequency	Achieved
Proposal for restructured EIRENE requirements	AR – Art 21(a)	2nd Q 2012	Completed (update of Annex A)
Update of GSM-R Operational Rules	AR – Art 21(a)	2nd Q 2012	Completed (part of the harmonised ERTMS OPE rules for B3)
Test cases draft	AR – Art 21(a)	4th Q 2012	Completed (first draft received and reviewed)

7. Technical Specifications

According to Directive 2008/57/EC of the European Parliament and of the Council of 17 June 2008 on the interoperability of the rail system within the Community, a Technical Specification for Interoperability (TSI) means a specification adopted in accordance with this Directive by which each sub-system or part of sub-system is covered in order to meet the essential requirements and ensure the interoperability of the rail system.

As emphasised by the 'new approach' to standardisation, the functional specifications of the TSIs are complemented by technical solutions described in harmonised standards which provide a presumption of conformity with the TSIs. It is therefore of utmost importance for the Agency to ensure a close coordination with the standardisation bodies (CEN, CENELEC, ETSI) and the Notified Bodies (NoBos) who verify the compliance to the TSI requirements of sub-systems and

the conformity (to the requirements of TSIs) of Interoperability Constituents.

Desired outcome

It is expected that the revised TSIs will contribute to simplifying the legal framework in the field of railway technology, related to design, construction, placing in service, renewal and upgrading. The revised TSIs should be easier for application and should contribute further to the development of the European Union's rail system, opening the rail market and enhancing the competitiveness of rail transport compared to other means of transport.

Project 7.1: TSIs Revision and development

By the Mandate notified by Decision C(2010)2576 dated 29 April 2010, the Commission assigned to the Agency the task of revising the TSIs in force. The aim is to close open points and extend their scope to the entire European railway network. Several preliminary studies were carried out (merger of HS and CR; split of 'transverse' TSIs; limits of scope; interchangeable spare parts) and have been taken into account in the revision process and deliverables.

Furthermore, the Noise (NOI) TSI is due to be revised in 2013 to reflect the reassessment of the maximum allowable emission levels and measurement methods and include requirements for infrastructure if deemed appropriate, based on the return on experience.

The revision of TSIs is carried out with the support of Working Parties which met on a regular basis.

Specific subjects to close open points that are key to interoperability were addressed by specific working groups (e.g. running dynamics; Electro-Magnetic Compatibility (EMC)) equally chaired by ERA Project Officers. For closing open points related to the 1520 mm rail system, dedicated sub-groups were created, in relation to the Working Parties in charge of the revision of the three TSIs: INF, ENE and RST-LOC&PAS.

Every time a TSI is revised an application guide is issued to help stakeholders in the implementation of the TSI. This guide indicates links to harmonised standards and established methods to assess the compliance to requirements etc.



The list of TSIs to be revised covers the following aspects or sub-systems:

- High Speed and Conventional Control-Command and Signalling (HS and CR CCS TSI)
After merging the CR and HS TSI CCS, the revision of the TSI is focusing on the extension of scope into the entire rail network.
- HS Rolling Stock (HS RST TSI) and Locomotives and Passenger Rolling Stock (CR LOC&PAS TSI)
HS RST TSI and CR LOC&PAS TSI have been merged into a single TSI. Open points have been closed as far as possible and special attention has been given to requirements for the 1520 mm rail system. The recommendation was issued by the Agency in December 2012.
- Infrastructure (HS and CR INF TSIs)
A single INF TSI was created, merging HS and CR TSIs, extending its scope to the entire rail network. The open points have been closed as far as possible and requirements for the 1520 mm rail have been incorporated. The recommendation was issued by the Agency in December 2012.
- Energy (HS and CR ENE TSIs)
A single ENE TSI was created, merging HS and CR TSIs, extending its scope to the entire rail network. The open points have been closed as far as possible and requirements for the 1520 mm rail have been incorporated. The recommendation was issued by the Agency in December 2012.
- Operation and Traffic Management (OPE TSI)
The revision included, among others, the harmonisation of operational rules (Appendix B) as set out in the mandate and the revision of Appendices C and D.
- Safety in Railway Tunnels (SRT TSI)
The revision included, among others, aligning the CR LOC&PAS and HS RST requirements related to fire and tunnel safety (in conjunction with merging the HS and CR RST TSIs), scope extension and addressing the operation of TSI-compliant RST in the existing tunnels. The recommendation was issued by the Agency in December 2012.
- Access for Persons with Reduced Mobility (PRM TSI)
The revision includes, among others, the closure of open points, the removal of incompatibilities and consistency, the correction of errors and clarifications when needed, the extension of scope according to the complementary study on the subject and the revision of the implementation strategy for an improved migration towards full compliance. In order to take into account the provisions resulting from the UNCRPD (United Nations Convention on the Rights of Persons with Disabilities), the final recommendation was postponed to April 2013. A preliminary draft was issued in October 2012 for consultation of Social Partners and Associations.
- Rolling Stock Noise (NOI TSI)
The revision includes, among others, merging HS and CR TSIs, including HS RST TSI requirements, the extension of scope, covering the 1520 mm network, and lowering some of the noise limits. The detailed scope of the revision was defined in December 2012 and presented to MS representatives in January 2013.
- Telematic Applications for Freight Services (TAF TSI)
Step 2 of the revision has started based on the information received and will include the review of Chapters 1 and 4 with the aim to support the ongoing deployment of TAF TSI. The Change Control Management system has been set up and aligned with the CCM already in existence for TAF.
- Telematic Applications for Passenger Services (TAP TSI)
Operation of the Change Control Management system continues, with two sets of changes submitted in June, and December 2012.

In parallel, the work on the TSI application guide continued to keep up to date to support the implementation of the newly drafted TSIs.

TSI	Legal Basis	Principal Outputs 2012	Timing/ Frequency	achieved
CCS	AR – Art 12, FM, EM	Preliminary TSIs and reports	Apr 2012	Nov 2012
		Final draft TSIs and final reports	Oct 2012	June 2013
RST (LOC&PAS)	AR – Art 12, FM, EM	Preliminary draft	Apr. 2012	May 2012
		Final draft	Oct. 2012	Dec. 2012
INF	AR – Art 12, FM, EM	Preliminary draft	Apr. 2012	May 2012
		Final draft	Oct. 2012	Dec. 2012
ENE	AR – Art 12, FM, EM	Preliminary draft	Apr. 2012	May 2012
		Final draft	Oct. 2012	Dec. 2012
OPE	AR – Art 12, FM, EM	Intermediate report	Aug. 2012	Sept. 2012
SRT	AR – Art 12, FM, EM	Preliminary draft	Apr. 2012	May 2012
		Final draft	Oct. 2012	Dec. 2012
PRM	AR – Art 12, FM, EM	Preliminary draft	Apr. 2012	Oct. 2012
		Final draft	Oct. 2012	No: April 2013
NOI	AR – Art 12, FM, Art 7.2 of the TSI NOI	Preliminary draft	June 2012	No: Feb. 2013
TAP	AR – Art 12, FM	Recommendation on TAP Phase One deliverables	July 2012	Completed
TAF	AR – Art 12, FM, EM	ToR for revision (report to DG MOVE)	June 2012	Completed
TSI Application Guide			Ongoing	Completed

The difference between scheduled and achieved end dates was mainly due to changed RISC meeting schedules. In two cases only, the schedule had to be changed in agreement with the Commission: for the PRM TSI, the complexity of the issue and the alignment with the United Nations convention of rights for people with disabilities (UNCPRD) required more time. For the NOI TSI, the delay was driven by a lack of resources.



Project 7.2: Coordination with Notified Bodies (NoBos)

In order to support the development of the TSIs and ensure their efficient implementation, the Agency is coordinating its TSI-related activities with the Notified Bodies (NoBos). In particular, the Agency assists the Commission by acting as technical secretariat of NB-Rail (Network of Notified Bodies). The Agency is also represented at the NB Rail strategy and plenary meetings and in its various sub-groups.

The technical secretariat ensured the timely provision of agendas, documents and minutes of the NB-Rail strategic and plenary meetings and allowed NB-Rail to issue 17 recommendations for use (RfU).

Principal Outputs 2012	Legal Basis	Timing/Frequency	achieved
Carrying out the technical secretary activity	AR – Art 12(d)	Ongoing activity	Completed
Participation in the various meetings	AR – Art 12(d)	Ongoing activity	Completed

Project 7.3: Coordination with European Standardization Organisations

In order to support the development of the TSIs and ensure their efficient implementation, the Agency is coordinating its TSI-related activities with European standardisation organisations (ESOs).

The Agency is member of the Joint Programming Committee for Rail (JPCR) that coordinates the development of the ENs related to rail and is represented in the two Technical Committees for rail (TC256 and TC9X).

This work allowed the Agency's recommendations which were submitted in 2012 to be aligned with the standardisation development (no reference to outdated standards).

Principal Outputs 2012	Legal Basis	Timing/Frequency	Achieved
Issuing the requests for standards (RfS)	AR – Art 12(c)	As required	Three requests issued
11 draft standards reviewed			
Participation in the meetings	AR – Art 12(c)	Ongoing	Participation at TC256 and TC9X



8. Railway Staff

According to European railway legislation, the Agency shall address recommendations to the Commission relating to the working conditions of all staff executing safety-critical tasks and concerning the determination of common criteria for the vocational competences and the assessment of the staff involved in the operation and maintenance of the railway system. This also includes tasks aiming to support the practical implementation of the train driver's licence scheme and the exchange of experience between Member States in this respect.

Safety management systems provide for staff training programmes and systems which ensure that staff competence is maintained and that duties are performed in the appropriate manner. In addition, a process of continuous training shall be set up in order to ensure that staff competences are maintained, in accordance with the Safety Directive.

Project 8.1: Train Drivers

The aim of the tasks gathered in this project is to further supplement the train driver's licence model established by the Train Drivers Directive. In particular they refer to the development of assessment schemes to be used for accrediting training centres and examiners of train drivers, and two reports – one on the feasibility of the use of smart cards and another on evaluating the implementation progress.

Staff competences and health and safety conditions have been developed in the context of the interoperability directives, as part of the OPETSI. There is a need to ensure that common principles are used to develop the specifications for chapters 4.6 and 4.7 of each TSI.

Desired outcome

Within the scope of mandates defined in the relevant EU legislation the Agency contributes to the development of common European criteria for railway staff involved in the operation and maintenance of the rail system. Such criteria concern training tasks, certification or licensing systems or conditions linked to health and safety at work.

Principal Outputs 2012	Legal Basis	Timing/Frequency	Achieved
Draft assessment scheme for the accreditation of training centres and examiners	AR – Art 17.2	Sep 2011-Jun 2014	Ongoing
Report on evaluating the development of the certification of train drivers in accordance with the TD	TD – Arts 20 and 23	Oct 2013	Ongoing
Report on the feasibility of using smart cards based on external study results expected end 2011.	TD – Art 33	Nov 2012	Completed
Intermediate Report on evaluating the transposition of the Train Drivers Directive in Member States	TD – Art 34 AR – Art 21(b)	Dec 2012	Completed

Project 8.2: Other on-board Staff

'Other crew members performing safety-critical tasks' means staff on board the train who are not train drivers but who help to ensure the safety of the train and of the passengers and goods being transported.

The Agency submitted the report on this professional group to the Commission in September 2010. As foreseen in Art 28 of the Train Drivers Directive the EC presented a report on this matter to Parliament and the Council.

Principal Outputs 2012	Legal Basis	Timing/Frequency	achieved
Recommendation and report on amendments to TSI OPE in regard to staff performing the task of accompanying trains in passenger services	(linked to) TD – Art 28	Dec 2012-Dec 2013	No activity on this subject in 2012
Recommendation regarding a European model for testing staff training			

Project 8.3: Professional competences and health and safety

The aim of the project 'Professional competences and health and safety' is to check and evaluate the appropriateness of the current specifications of Chapters 4.6 and 4.7 applying a horizontal approach in parallel to the general TSI revision work.

Principal Outputs 2012	Legal Basis	Timing/Frequency	Achieved
Intermediate Report on a common approach for TSIs on the specifications on 'Professional competences' and 'Health and safety conditions' (Chapters 4.6 and 4.7 of TSIs) of the staff involved in operation and maintenance	ID – Art 5(3)(g)	Dec 2011-Dec 2013	Ongoing

9. Shared Databases and registers

In order to ensure the greatest possible transparency and equal access for all parties to relevant information, the public documents envisaged for the interoperability process and for matters related to safety should be accessible to the users and to the public.

The Agency is required to provide an efficient means of exchanging this information by developing and maintaining several databases and registers.

To develop and maintain information transparency the Agency continues to:

- develop the legislation and specifications on registers;
- put into place and maintain the databases and registers;
- agree with the relevant parties on data transmission;
- validate the data.

Desired outcome

Transparency of information.

Project 9.1: ERADIS (ERA Database of Interoperability and Safety)

The database is used for collecting and publishing documents concerning safety and interoperability. According to the Agency Regulation the Agency has to make publicly available the following documents:

- The EC declarations issued in accordance with the Interoperability Directive.
- The Authorisations for placing in service of infrastructure and fixed installations.
- The Licenses issued in accordance with the Train Drivers Directive.
- The Certificates issued in accordance with Article 10 of the Safety Directive.
- The investigation reports sent to ERA in accordance with Article 24 of the Safety Directive.
- The national safety rules notified to the Commission in accordance with Article 8 of the Safety Directive.

In addition this database includes the reports on service quality performances of the railway undertakings in application of Article 28 of Regulation EC/1371/2007 on rail passengers' rights and regulations.

In accordance with the certification scheme on the Entity in Charge of Maintenance (ECM), the database is also intended to be used to provide information on certification bodies and issued ECM certificates.

Principal Outputs 2012	Legal Basis	Timing/Frequency	Achieved
Extension of ERADIS for ECM certificates	AR – Arts 18 and 19	Dec 2012	Completed
Maintenance including content update	AR – Arts 18 and 19	Ongoing	Database kept updated

Project 9.2: Reference Document database of equivalence of national vehicle rules and processes

The Reference Document lists all the national rules applied for the authorisation to place vehicles into service. In force from August 2011, it has the form of a series of PDF documents. During 2012 the data was moved to a database managed by the Agency – the Reference Document Database (RDD) that will allow easy cross-referencing of Member States' rules for vehicle authorisation and their equivalence. The content of

the database is now under verification by NSAs.

In 2012 this database was linked with the Commission's database of National Technical and Safety Rules (NOTIF-IT) in order that Member States may benefit from single data entry of data qualifies for inclusion in both databases. Pending the resolution of some bugs with NOTIF-IT the link will go live as a tool for notification in early 2013.

Principal Outputs 2012	Legal Basis	Timing/Frequency	Achieved
Implementing additional functionality to present the different National legal framework in the Reference Document Database	Art 19 of AR	Early 2012	Achieved and version 3.1 under test in Feb. 2013
Updating and maintenance of Reference Document Database functionalities	As above	Ongoing	Functionality upgraded in versions 2.8-3.1 during 2012
Training and dissemination on the requirements for rules to be contained within the Reference Document	As above	Ongoing	One-to-one sessions held or to be held with each MS/NSA in 2012/13.
Dissemination and training on the use of the Reference Document Database for the publication of rules and procedures (National Legal Framework) including regular updating of the user's manual	As above	Ongoing	Dissemination and training on the use of RDD for the publication of rules done by one-to-one sessions held with each MS/NSA in the second part of 2012, additional sessions envisaged for 2013 Dissemination and training on the use of RDD for the publication of procedures pending finalisation of version 3.1 functionality in Feb. 2013
Annual Report on the progress made with the publication and management of the reference document	Decision on the RD	Mid-2012	The Agency reported, at the RISC meeting of October 2012, on the progress of RDD and the update of part 1 (Application Guide) Due to shortage of staff no written report had been provided – To be incorporated in the combined Agency report for 2013

Project 9.3: Database of National Technical Rules

In 2010 the Commission's database for the notification of National Rules NOTIF-IT entered into service. The Agency assists the Commission in the administration but also specification and development of the NOTIF-IT database and provides training to its users.

Principal Outputs 2012	Legal Basis	Timing/Frequency	Achieved
Monitoring of NOTIF-IT database performance	AR – Art 19	Ongoing	<p>Support given to MS in their duty to notify National Technical Rules and to the Commission in their maintenance of NOTIF-IT and the resolution of bugs</p> <p>Functionality of NOTIF-IT had been modified to grant the EFTA surveillance authority similar rights as EC</p> <p>Five meetings of ERA-EC NOTIF-IT steering group held in 2012 Test on functionality</p>
Training of NOTIF-IT users	As above	Ongoing	<p>Specific workshop for submitters of National Rules had been prepared for March 2013</p> <p>Access to NOTIF-IT had been updated on request of different MS</p>

Project 9.4: Registers for Interoperability

The European Centralised Virtual Vehicle Register (ECVVR) consists of the National Vehicle Registers (NVR), where the vehicles are actually registered and all the associated data are stored, and the Virtual Vehicle Register (VVR), which is a search engine connecting all the NVRs.

The WP 'RINF Development' developed and proposed methods for implementing the Register of Infrastructure containing data about fixed installations at the European level in accordance with the common RINF specification.

The European Register for Authorised Types of Vehicles (ERATV) is the community-wide type-based register that replaces the national vehicle-based Registers of Rolling Stock which were defined in the previous version of the Interoperability Directives. The register includes the types of vehicle authorised in the different Member States. The specification was adopted in Sep. 2011 (Decision 2011/665/EU).

As a complement to the Register of Infrastructure, the ERATV facilitates the assessment of technical compatibility for the capability of a vehicle to run on a specific line, both conforming to the relevant TSIs. It helps MS authorising the placing in service of structural sub-systems and is also the source of information for strategic development of the railway sector.

The Vehicle Keeper Marking (VKM) is a code to be inscribed on each vehicle representing the name of the vehicle keeper. The VKM register is published on the Agency and OTIF websites.

The Agency carried out an analysis on the combination of the all the registers required by the Interoperability and Safety Directives, in particular addressing their interfaces and the expected combined result of these registers. The conclusion of the report includes the necessary actions.

Principal Outputs 2012	Legal Basis	Timing/ Frequency	Achieved
Development of ERATV	ID – Art 34 AR – Art 18 and 19	ERATV in operation by 31 Dec. 2012	Completed
Development of RINF – reports in accordance with Art 3 and 4 of the EC decision	ID – Art 35, AR – Art 18 EC decision 2011/633/ EU – Arts 3 and 4	Dec. 2012	Completed (Oct. 2012)
Maintenance and operation of ECVVR + ERATV	ID – Arts 33 and 34 AR – Art 18 and 19	As required	Completed
Report on registers		Q4 2012	Completed

Project 9.5: Safety performance and accident data

The National Investigation Bodies submit notifications and final reports on the investigations opened according to Article 24 of the Safety Directive. The information is processed and validated by the Agency and made publicly available through the ERADIS database. This validation process includes verification of the accuracy and correctness of information, administration of report translations and communication with the investigation bodies. The work is continuously ongoing.

The National Safety Authorities collect and aggregate accident statistics and common safety indicator data from the infrastructure managers and railway undertakings and submit national data to the Agency in accordance with Article 5 and 18 of the Railway Safety Directive. The data is submitted annually and the Agency performs checks of data quality and validates the submitted information before the data is made publicly available through the ERADIS database.

Principal Outputs 2012	Legal Basis	Timing/ Frequency	Achieved
Accident investigation reports made available in ERADIS	AR – Art 19(2)	Ongoing	During 2012 both elements were successfully transferred to the new ERAIL database
Common Safety Indicator data made available in ERADIS	AR – Art 19(5)	Oct 2012	

Project 9.6: Descriptive data

Both the development of recommendations and their impact assessment require sufficient knowledge of the European railway network, fleets and stakeholders. This is especially necessary in the context of extending the scope of TSIs, and of the definition of migration strategies, for instance.

As part of the DREAM project, a model generator has been developed. The purpose of this model generator is to output models as spreadsheets with standard formatting. Providing models as spreadsheets allows users and reviewers to easily access all data, hypotheses and formulas. Indeed, the Agency shares with other regulatory bodies the view that there should be no 'hidden knowledge' in impact assessments, except precise, sensitive commercial information owned by third parties.

In IT terms, the DREAM model generator compiles diagrams into spreadsheets. This is the direct implementation of

recommendations issued back in 2009 when the DREAM project was at a basic design stage. Previous market research showed that there is no such tool available on the market, and some academic studies were even questioning its feasibility. For the Agency, the main difficulty was to find an external consultant to assist ERA staff in developing some parts of the model generator. The finalisation of the tool and its documentation (user manual) were completed in February 2013.

The model generator is now being used for complex, extensive migration schemes (ETCS, accessibility).

Principal Outputs 2012	Legal Basis	Timing/Frequency	Achieved
DREAM: development of the economic evaluation module (model generator)	SEC(2007) 926	Q3 2012	Completed in February 2012
DREAM: Sharepoint (extranet) integration	SEC(2007) 926	Q4 2012a	Re-scheduled: 2nd quarter 2012

Project 9.7: Communication protocol

Activities according to the European Framework must be reported in various ways. Documents and input to databases and registers have to be delivered according to Art 19(1) of the ERA Regulation. On the ERA side, as well as on the Member State side, various contact persons are involved in this communication process. Therefore Art

19(2) gives the Agency the task to put in place the practical arrangements for a proper communication among MS and EC. Contact persons are listed for each task for all Member States in the communication protocol. The communication protocol must be kept up to date.

Principal Outputs 2012	Legal Basis	Timing/Frequency	Achieved
Keeping the Communication Protocol up to date	AR – Art 19(2)	Ongoing	Other priorities prevented the Agency from completing this task



10. Monitoring Interoperability

The Agency produces a report on progress with interoperability every two years which provides the basis for analysing the interoperability implementation trends across the European Union. The legal basis for this report is provided by Article 14(2) of the Agency Regulation.

Without prejudice to the responsibility of Member States, the Agency may also, at the request of the Commission, monitor the quality or coordinate the work of bodies such as RUs, IMs and NoBos.

Desired outcome

For the time being, the availability of interoperability-related data in the Agency is rather limited because databases and registers are still being defined or populated. Therefore, the Agency collects data from other sources, the primary source being the questionnaires distributed to the national safety authorities and sector organisations.

Project 10.1: Biennial report on interoperability

Reporting every two years allows the Agency to analyse the interoperability implementation trends across the European Union. The Agency analyses a set of interoperability indicators and outlines the achievements and problems in the implementation of railway interoperability.

To help understand the evolution of railway interoperability, the report:

- summarises the legal and institutional framework established to enhance technical and operational compatibility between rail networks;
- explains the indicators used to evaluate the railway interoperability progress;
- look into the effects of TSIs on the railway market.

Principal Outputs 2012	Legal Basis	Timing/Frequency	Achieved
Questionnaire to NSAs	AR – Art 14.2	May 2012	Postponed to 2013



Project 10.2: Coordination between railway actors

The Agency shall recommend, at the request of the Commission, procedures for implementing interoperability of the railway systems by facilitating coordination between railway undertakings and between infrastructure managers, in particular to organise systems migration.

Principal Outputs 2012	Legal Basis	Timing/Frequency	Achieved
Recommendations for procedures	AR – Art 21	Ongoing activity, on request	No action requested

Project 10.3: Evaluation of railway projects and of requests for TSI derogations

At the request of the Commission, the Agency may receive projects (in general co-financed by the EU) to analyse. In particular, the Agency checks if projects are in line with the interoperability principles and the TSIs.

Principal Outputs 2012	Legal Basis	Timing/Frequency	Achieved
Project assessment report(s)	AR – Art 15	On request	No request in 2012

At the request of the Commission, the Agency shall assist the Commission in evaluating requests for derogation from the provisions of the TSIs, submitted by Member States.

Principal Outputs 2012	Legal Basis	Timing/Frequency	Achieved
Opinions	FM – p. 2.3.2.	On request	Opinions delivered

Project 10.4: Notified Bodies — Notifications and efficiency

The Agency may, at the request of the Commission, monitor the quality of NoBo work and consider if it has met the criteria referred to in Annex VIII of the Interoperability Directive.

Principal Outputs 2012	Legal Basis	Timing/Frequency	Achieved
Opinion	AR – Art 13	On request	Not requested in 2012

11. Promoting a Common Approach to Safety and Economic Evaluation

The European Railway Agency is keen on consistently handling the secondary legislation it drafts. The most obvious challenge lies with the development and assessment of safety-related recommendations.

The work of the Agency mainly serves three directives (railway interoperability, railway safety and driver licensing). These are complementary – the Interoperability Directive reminds that safety is an essential requirement, and is therefore a pre-requisite for rail market opening; the Safety Directive aims at avoiding the creation of further barriers. Both directives, and the ensuing legislation, were or will be subject to impact assessments. Also, as railways are the safest transport mode, any loss of competitiveness of rail would result in decreasing overall transport safety in Europe.

The Agency aims at serving both goals, namely the EU-wide maintenance and improvement of transport safety, and the improved competitiveness of the railways, within its field of competence. Since the Agency Regulation foresees that 'the Agency shall work transparently', this implies a clear documentation of essential decision-making processes, also contributing to quality assurance.

Under the leadership of the Safety Unit, further cooperation has taken place across the Agency to promote a consistent approach to decision making in regulatory matters, when safety is at stake. Past decisions and current controversies have been taken under scrutiny, and have led to formalising the decision-making process. Although still at an internal stage, aspects of the decision-making process have been discussed with other regulatory bodies (EASA, U.S. Federal Railroad Administration, etc). Maturity is expected for 2013.

To promote a common approach to safety and to be even closer to the needs of the railway sector, in 2012 the Agency started piloting a Joint Network Secretariat, where representatives of the sector and the safety regulators meet to discuss imminent safety issues.

In recognition of the vital role of humans in achieving the safe transport of goods and people on the European Railways, the Agency will be developing a common approach to integrate human factors into its working methods. This work will be supported by a network of human-factor experts and will lead to a comprehensive overview of the current status of human-factor input in the operation of the railways.



Project 11.1: Economic Evaluation

Economic evaluation (the term ‘impact assessment’ being broadly equivalent) is a fundamental tool in European law making. Impact assessment is applied in various degrees to all activities of the Agency that lead to recommendations or technical opinions. A fundamental choice was to carry out impact assessment with the participation of all concerned Agency staff and stakeholders, but also with dedicated resources and independent management. The impact assessments are kept proportionate to the likely impact of recommendations or technical opinions.

In 2012, emphasis was placed on administrative costs. In particular, the reduction of conformity assessment costs for infrastructure-related TSIs (INF, ENE, PRM, etc) was sought in cooperation between Economic Evaluation and Interoperability units, and led to the current TSI revision proposals, providing adequate room for self-assessment on those sub-systems.

While *ex-ante* impact assessment retained the highest priority (as a necessary condition for the adoption of recommendations), the Economic Evaluation unit has placed increasing efforts on *ex-post* assessments since 2011. This is in recognition of the fact that most elements of railway regulation are in place, must be put to work, and their effects should be observed.

For the sake of efficiency, and to cope with budgetary limits, the Agency decided to perform *ex-post* analyses by itself, with no increase in Economic Evaluation staff.

The SRT TSI *ex-post* assessment was effectively carried out, over six sampled Member States (Italy, Austria, Germany, Spain, Great Britain and France). It informed the *ex-ante*

assessment of the proposed revision of the SRT TSI which will be published on the Agency website later in 2013. A key finding of this work was that the stakeholders in general perceived that the advantages of the TSI are somewhat larger than the disadvantages thereby confirming the result of the original CBA in terms of positive net benefits. On the other hand, the stakeholders also considered that there was definitely scope for further improvement that could be beneficial for the railway sector. This demonstrated the clear rationale for undertaking the revision of the SRT TSI.

The foreseen *ex-post* assessment of certain aspects of the OPE TSI had to be postponed, due to resource shortage in the interoperability unit.

The most significant development in methodology was Early Assessment. It consists of analysing the problems faced by the railway sector with all information available, and assessing how much benefit could be reaped from a *possible* intervention of the Agency, including a quantification (orders of magnitude) of benefits and costs. The concept is derived from pre-regulatory impact assessment conducted by EASA, for instance, and was applied experimentally to a dozen interoperability- or safety-related issues, and helped in shaping some work items in the 2013 Work Programme. Early Assessment as part of the 4th railway package (Art 7 of the recast Agency Regulation) is essentially the same.

Principal Outputs 2012	Legal Basis	Timing/ Frequency	Achieved
<i>Ex-ante</i> assessment of Agency recommendations	SEC(2007) 926	With each recommendation	As planned, see recommendations
<i>Ex-post</i> assessment of selected Agency recommendations: OPE and SRT TSIs (see text)	As above	1 or 2 per year	Achieved (SRT only)
General methodology for economic evaluation	As above	Update to be presented to RISC	Postponed to 2013. Early Assessment as part of 4th railway package

Project 11.2: The Safety Platform (Joint Network Secretariat)

The legislative programme initiated by Directives 2004/49/EC and 2008/11/EC will be nearly completed by mid-2012. The Safety Unit will then enter a new phase to ensure that all the measures developed from these two directives are correctly and efficiently put in place. For this, the Agency put in place the concept of a 'Safety Platform' by the end of 2011.

After discussion with the different stakeholders (NSAs and Representative Bodies), the functioning of this body changed substantively which changed the name to **the 'Joint Network Secretariat' (JNS)**. It shall support the Agency:

- to identify issues;
- to organise the exchange of opinions and solutions;
- within and between the NSA and NRB Networks.

The Joint Network Secretariat consists of two members from each of the NSA and NRB Networks, the Agency and a representative of the European Commission, who attends as an observer only.

Members of the Networks put forward issues or problems. The JNS then decides the best way to discuss and resolve those issues. The project is being trialled for a two-year period, across a limited scope (problems related to the Safety Directive). If successful, the intention is to widen the scope to include other domains of the Agency's work.

Issues already received include managing the interface between Infrastructure Managers and Railway Undertakings, the consistency of decision making between different NSAs and reviewing maintenance rules and supervision for safety-critical components.

Principal Outputs 2012	Legal Basis	Timing/ Frequency	Achieved
To be decided depending on participants inputs	AR – Art 6(2), 21(b)	Dec 2012	After discussion with the stakeholders, the new initiative of the Joint Network Secretariat has been successfully launched



Project 11.3: The freight focus group

The task force on freight wagon maintenance, which was an emergency response to the Viareggio accident in 2009, generated a hitherto unseen impetus within the railway sector and a platform for discussion and growing mutual understanding. All concerned parties – the sector, the national safety authorities as well as the Agency – would like to maintain and expand this platform beyond the issue of broken axles.

A high percentage of the more than 600 annual freight train derailments in Europe, for example, are caused by infrastructure-related deficiencies. In addition, there is

logic in combining this with other Agency initiatives such as ongoing studies on freight train derailment, the development of TSIs, the harmonisation of other technical regulations, the follow-up of the new regime for certifying entities in charge of maintenance (ECMs), ongoing and planned research etc.

Therefore there is need for a permanent high-level steering instrument that offers the opportunity to reflect on important issues related to the rail freight business in a more structured and balanced way.

Principal Outputs 2012	Legal Basis	Timing/ Frequency	Achieved
Meetings of the freight focus group Upon request and the EC, the Agency performed an analysis of the NIB Italy recommendations on the Viareggio accident Issuing respective advice to the EC	AR – Art 6(2), 21(b)	Dec 2012	Start postponed to 2013 due to resource situation From April 2012 onwards January 2013

Project 11.4: The level-crossing focus group

All safety performance reports show that the reported number of fatalities and serious injuries at level crossings corresponds to a high proportion of the total number of reported fatalities and serious injuries.

Therefore there is need for a permanent high-level steering instrument that offers the opportunity to reflect on this important safety issue in a more structured and balanced way.

Principal Outputs 2012	Legal Basis	Timing/ Frequency	Achieved
To be decided	AR – Art 6(2), 21(b)	Dec 2012	Postponed

Project 11.5: Harmonised EU positions and action plans after serious accident and repetitive incidents

After a serious accident or repetitive incidents, it is essential for the sector that the necessary measures taken within the different MS are harmonised, proportionate and revised quickly and regularly in receipt of the available information.

For this, in 2012, the Agency under the auspices of the Joint Network Secretariat and supported by a dedicated focus group, will develop a procedure allowing the appropriate reactions at EU level after serious accidents or repetitive incidents.

Principal Outputs 2012	Legal Basis	Timing/ Frequency	Achieved
To be decided	AR – Art 6(2), 21(b)	Dec 2012	A TF has been set up to start the development of a Quick Response Procedure. The work of this TF will be completed in 2013

Project 11.6: Common Safety Framework

The development and improvement of railway safety is the purpose of Article 4 of the Safety Directive which states 'Member States shall ensure that railway safety is generally maintained and, where reasonably practicable, continuously improved, taking into consideration the development of Community legislation and technical and scientific progress and giving priority to the prevention of serious accidents.'

It is also part of the Agency tasks to address to the European Commission or other relevant parties, on request, regarding Agency positions containing safety-related aspects. Therefore it is very important that these safety-related positions are consistent between them and properly consider all relevant legal and technical principles governing the safety developments of EU railways. In addition high-level principles of EU legislation developments need to be considered. These include proportionality, subsidiarity, risk and performance,

and technical harmonisation and development.

In order to be sustainable, the safety-related Agency positions must also take into account technical and scientific progress.

In consequence, the purpose of the Common Safety Framework (CSF) is to enable the Agency to deliver consistent, robust and sustainable positions, on all requests (Recommendation, Opinion, Advice) which might contain safety-related aspects.

It is also anticipated that in addition to serve the Agency process of drafting safety-related positions, the Common Safety Framework might help Member States in their decisions on any particular safety-related changes, as a methodological background.

Principal Outputs 2012	Legal Basis	Timing/ Frequency	Achieved
Common Safety Framework: guidelines	AR – Art 6	End 2012	Pilot started up



12. Support to Agency Operations

The transverse activities supporting operations are carried out by the staff of the Executive Director's Office and of the Administration Unit. The Executive Director's Office supports operations in the areas of communication, internal control, audit and legal affairs while the Administration Unit supports operations in the areas of human resources, procurement, finance, accounting, ICT and facilities.

Based on the regulatory framework (in particular the Founding Regulation, Staff Regulations, Financial Regulation and Internal Control Standards), both entities make constant efforts to develop and provide efficient and effective internal

policies, procedures and services.

Within the administrative support services, in 2012 extra emphasis will be given to the issues health and safety, IT security and business continuity.

Desired outcome

The transversal activities are designed to ensure the provision of support services for its staff and for the implementation of the operational activities of the Agency leading to outputs of high quality.

Project 12.1: Communication

The core mission of the Communication office is to assist the Agency in designing and implementing the internal and external communication processes. The Communication

Office also provides the tools needed by the Agency to present their activities to the outside world and to achieve the Agency's objective.

Principal Outputs 2012	Timing/Frequency	achieved
Up-date and revision of the Agency Communication Strategy	Ongoing	External: postponed to 2013 Internal: centralised services established
Reports and brochures to be published – the Agency video will be updated	Ongoing	Brochures published as planned Agency video updated Standardised templates and ERA video culminated in InnoTrans concept. InnoTrans fair successfully performed
Preparation of conferences with multi-media material will be continued; important event: INNOTRANS, Berlin	Ongoing	
Media monitoring services	Ongoing	Stopped due to budget constraints
Custom developments to enhance usability of the website	Ongoing	Search and news function improved, web surveys launched Conference website provided for ERTMS conference, as standard for future conferences
Answering external requests Maintaining contacts with the press	Ongoing Ongoing	531 requests answered, thereof 91.7 % in time (goal: 90 %). Answers given in average within 8.36 days (goal: < 21 days) Structured database started, press releases published

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Project 12.2: Internal control and audit

Principal Outputs 2012	Timing/Frequency	achieved
Audit report, follow-ups and ex-post checks	One report, one follow-up, one <i>ex-post</i>	Audit activity was significantly reduced due to termination of the resident internal audit function at ERA during 2012. SEE 3.1.3 One <i>ex-post</i> check on ABAC management rights and follow-up of previous audit were carried out
Advice to AO and AODs on the development of the components of the internal control system of the Agency including an independent annual assessment on the ICS implementation. Quality assurance activity of the IT project as envisaged by the RUP methodology adopted by the Agency for implementing IT projects	Ongoing/second semester	Compliance assessment of 16 ICS carried out Quality assurance activity of IT projects was stopped during 2012 due to other priorities Production of draft version of the recommendation process
Coordination and continuous improvement of the risk management process within the Agency	Ongoing	A revised version of the risk management process was produced High Level Risk Assessment carried out and leading to an update of ERA's Risk Register during Q4 2012
Support to ERA in managing and closing IAS audit recommendations		Action-tracking system further developed during 2012 18 audit recommendations implemented and 15 closed during 2012

Project 12.3: Legal Office

The Legal Office has actively contributed to the development of the Agency's deliverables and outputs by providing legal advice, legal assistance and by issuing legal opinions.

The Legal Office gave legal support to most of the operational and administrative tasks of the Agency, such as the ones related to the implementation of Articles 6, 9a, 12, 16b, 16c, 21b of the Agency Regulation.

This year the Legal Office documented its mission, role and organisation in a comprehensive paper and drafted procedures for coordinating the issuing of the Agency

Opinions as well as the internal administrative decisions.

In addition, it gave legal support to the ERA replies made following administrative complaints and other requests.

It continued to manage the Secretariat of the Administrative Board including the Sub-Committee and Reflection group with emphasis to the proper functioning of the decision-making process of the Board.

Furthermore, it has ensured the completion of the tasks related to the function of the Data Protection Officer – for details see the 'Data protection' paragraph of this report.

Principal Outputs 2012	Timing/ Frequency	Achieved
Legal Advice and Legal Opinions	Ongoing	Legal opinions on the issued Agency recommendations and opinions – daily legal advice and legal assistance on operational and administrative tasks
Legal and administrative support to the Administrative Board (including the Budgetary Sub-Committee)	Ongoing	Legal advice to decision-making process Management of the Secretariat
Implementation of Regulation 45/2001 in order to ensure compliance with personal data rules	Ongoing	This part is detailed under 'data protection'

Project 12.4: Human Resources

At the end of 2012, 139 Temporary Agents, 10 Contract Agents and 5 Seconded National Experts were working at the Agency. The remaining five open positions of the 2012 Establishment Plan were mainly cases where the Temporary Agents were already selected in 2012 but in the process of taking up post in 2013. 11 trainees were welcomed to the Agency in 2012.

Work has continued on the topic of Article 24(3) of ERA's founding regulation. In the framework of the 4th Railway Package, ERA has furthermore suggested to the Commission to clarify elements of Article 24(3) in the future Agency Regulation without changing the basic principle of having temporary agents both on short-term and on long-term employment.

ERA has now adopted 90 % of the existing Implementing Rules. Four different Implementing Rules designed to affect the Staff Regulations are still in the process of being adopted.

In the area of HR most of the documented procedures have been reviewed and fine-tuned in 2012. Further work will be done to align all the documents and templates according to the rules and guidance provided by the Quality Steering Group.

Extensive work continued in the field of Learning & Development, with the purpose of providing the staff with the necessary skills and knowledge to meet the Agency's objectives with the highest competences, and ensuring as much knowledge management as possible in the operational units. Priorities were set by the Units and the Management at the beginning of 2012 and the training action plan was carried out throughout the year. Over 80 % of the number of training days was held internally.

Principal Outputs 2012	Timing/ Frequency	Achieved
Basic HR services (Objective: 95 % of the establishment plan filled at the end of the year)	Ongoing	96.5 % of the establishment plan filled at the end of 2012
Preparation of data protection notifications	Ongoing	Eight new notifications were prepared and are currently under the approval process
Introduction of new e-HR modules	Ongoing	Due to the limited availability of human resources the use of e-recruitment has been delayed. Only the maintenance and adaptation of the existing e-HR modules was achievable
HR contribution to Health & Safety and Business Continuity planning	Ongoing	HR is an active member of the Agency H&S working group. In 2013 'First aid' training and certification were organised
Staff survey and subsequent action plan	Q3	The engagement survey was launched in November 2012. The results will be followed in 2013
Review of recruitment process and possible introduction of psychometric testing	Q2	The selection procedure has been reviewed in line with the recommendations of Internal the Audit Service and the European Court of Auditors

Project 12.5: Finance, accounting and procurement

The procedures in relation to the financial system (Manual of Procedures) were updated in 2012 and rewritten in a more practical way to facilitate its use and comprehension. However, due to the introduction of a 'Total Quality Management' in 2013 the Manual will need to undergo further updates to fit to the new rules and standards provided by the Quality Steering Group.

In terms of projects, an IT-based tool for the management of experts' reimbursements was developed in the course of the year and adopted by the Management in December 2012. It allows the booking/approval of meetings and the subsequent budget follow-up. The aim was to create a central repository with all related information managed electronically. This IT tool, called the 'DOR application', will be

open for use from 1 January 2013. This tool is in line with the objective to gradually introduce a paperless financial administration.

The 'mass payment' feature introduced on 1 January 2012 for the experts' reimbursement contributed to shortening the time required to prepare and execute payments. Added to the existing 'mass payment' feature for missions, there has been a high increase in the efficiency of the team allowing the freeing of one resource and reallocating it to the HR sector. The 'mass payment' feature allowed a decrease of the average payment delay from 37 days in 2011 to 27 days in 2012 for experts' reimbursement claims and from 97 days in 2011 to 58 days in 2012 for staff mission claims.

Principal Outputs 2012	Timing/ Frequency	Achieved
Basic finance, accounting and procurement services	Ongoing	Services provided as planned
Preparation of budget, ABB and procurement planning	Within the planning deadlines	Budget, ABB and procurement planning submitted to the EC and Administrative Board within the deadline
Reporting on budget execution (Objective for budget execution: commitments > 98 %, payments > 70 %)	Monthly	Monthly reports issued as planned 94.9 % of C1 appropriations committed (and 2.3 % reserved for effects of salary adjustments) 90.2 % of C1 appropriations used for payments
Timely processing of financial dossiers (Objective: 95 % of payments within foreseen deadlines)	Ongoing	97 % of the commercial invoices paid within 30 days
Requirements for an experts' reimbursements tool prepared	Q2	'Experts' mass payment process' implemented

Project 12.6: Information Technology

The ERA IT Governing Committee (EIGC) consolidated its governance role adopting the ERA ICT Strategy and the framework to ensure business and IT alignment. The EIGC, setting direction through prioritisation and decision making, monitored the performances of 12 IT projects.

The Agency consolidated the IT infrastructure implementing initiatives in the domain of Unified Communications, virtualisation and IT operations monitoring.

The configuration and data population of the disaster-

recovery solution progressed and is targeting the next operational phase.

The Agency's Extranet welcomed the creation of 13 additional sites, strengthening its strategic role as a collaboration space.

The Service Desk proved itself to be efficient and effective in supporting ERA's internal and external users, logging about 4,000 tickets.

Principal Outputs 2012	Timing/ Frequency	Achieved
Basic IT services (Objective: 99.5 % availability of core systems and services)	Ongoing	IT services provided as planned (Over 99 % of the global availability of ERA critical services and applications)
Documentation of procedures and definition of service levels	Ongoing	3 new procedures have been established
Finalisation of IT security strategy	Q2	ERA ICT Strategy adopted in June 2012
Comprehensive business continuity plan in place	Q4	Finalisation postponed to 2013

Project 12.7: Facilities

The project to increase the capacity of the headquarters in Valenciennes was completed without disruptions of regular business operations. As no progress was made regarding the conclusion of a seat agreement with the host state, the lease for the building was renewed for one year only.

The improvement of the Lille premises was stopped due to the likelihood (confirmed in January 2013) of being asked to quit the premises earlier than envisaged by the Agency.

The Agency adopted Sustainable Practices Rules and new

procedures relating to catering, and travel agency services were introduced.

The formulation of requirements for a possible new building in Valenciennes was put on hold, waiting the final proposal about the 4th Railway Package. However, the Agency started activities defining the business requirements to drive the choice relating to the lease of Lille's premises.

There were about 1,800 requests related to the provision of facilities services.

Principal Outputs 2012	Timing/ Frequency	Achieved
Basic facilities services	Ongoing	Services delivered as planned
Formulation of requirements to a possible new building	Q4	Postponed to 2014 Works increasing the capacity of the headquarters in Valenciennes carried out and completed as planned

13. Agency Management

In recent years the Agency units – for example in the has striven for a common development of the common and integrated approach – understanding of the the ‘one Agency’ approach authorisation process. The between its operational ‘one Agency’ approach took

a further step forward with of stakeholder interfaces the activity-based format of and the Agency’s Quality the 2012 Work Programme. Management became Besides the business also part of the Agency planning, the management Management Activity.

Project 13.1: Strategy and business planning

A key management challenge is to integrate the budgeting, staff planning and work planning processes in order to optimise the use of available resources taking account of the various priorities and constraints while also producing the

appropriate documentation in a timely manner as required by the authorities. With the Agency moving towards a more strategic, multi-annual, activity-based approach this becomes a more complex but essential activity.

Principal Outputs 2012	Timing/ Frequency	Achieved
Coordinating the Agency’s 2013 Budget, Multi-Annual Staff Policy Plan and Work Programme	January 2012	Done
Producing the Agency’s Annual and multi-annual Work Programme	Draft February 2012 Final version September 2012.	Spring version provided on time Due to the difficult but necessary prioritisation of resources and tasks, the last version of the draft WP 2013 received still comments from the AB members but its adoption was then possible by written procedure in December 2012
Coordinating and producing the Annual Activity Report	March 2012	Delayed due to resource constraints, adoption by Administrative Board in June 2012

Project 13.2: Stakeholder Management

The Agency relies to a great extent upon the input from its stakeholders to produce its outputs: in particular the Sector Associations and the Safety Authorities. In the meantime the Agency also plays an important role as ‘the place where all the actors meet’ in the facilitation and coordination of the stakeholder’s activities in respect of Technical and Safety matters. Furthermore the Agency’s reputation and future relies heavily upon stakeholder perception. It is essential therefore for the Agency to interface efficiently with its stakeholders.

The **Network of Representative Bodies** (NRB) is the forum where the Agency meets the leaders and coordinators of the recognised railway sector associations. Its objective is to give the associations an overview of future Agency work, progress with existing work (including progress through the RISC Committee), to act as a forum for discussion of ‘horizontal’ issues and to act as a forum for the resolution of any conflicts.

The NRB met three times in 2012.

In parallel the Agency manages the **Network of National Safety Authorities** by organising regular NSA network meetings. These meetings allow the NSA to conduct active exchanges of views and experiences for the purpose of harmonising their decision-making criteria and increasing trust between them.

A significant number of European research projects, while not directly managed by the Agency, are targeted at activities covered by the Agency. These include for example the closure of TSI ‘open points’, quantitative analysis of safety costs and benefits or the facilitation of vehicle authorisation. The Agency through its **Research Steering Group** in consultation with relevant Working Party coordinators ensures coordinated input to and interfaces with DG Research and other bodies coordinating European railway research.

Principal Outputs 2012	Timing/ Frequency	Achieved
Regular meetings of the Network of Representative Bodies	Quarterly meetings	Three planned meetings in 2012
Regular meetings of the NSA Network	Quarterly meetings	Four plenary meetings organised as planned
Subject specific meetings with stakeholders	As required	Several workshops organised on a variety of topics
Regular liaison meetings with DG Research (DG MOVE to be kept informed)	Quarterly	Three Meetings held with DG Research as planned
Regular meetings of the Agency Research Steering Group	Bi-monthly	Three meetings held (as required) in 2012
Participation in activities of bodies coordinating railway research at European or regional level (e.g. ERRAC, EURNEX etc.)	As required	Limited participation due to resource shortage
Participation in Advisory Boards or Technical Management meetings of research projects relevant to the Agency's activities	As required	ERA participated in all the relevant projects of Advisory Boards according to importance. Good relationships established with key projects AeroTrain, PantoTrain and DynoTRAIN projects
Creation of a research projects database	Ongoing	Database set up as planned

Project 13.3: Quality Management

In the course of 2009 the Executive Director started to reflect on the need to establish a quality management system within the Agency aimed at both consolidating the reached level of activities and above all, at creating the favourable conditions for a smooth and effective growth of the European Railway Agency.

The quality approach adopted by the Agency is inspired by the Total Quality Management principles and aims at implementing a fully process-based management system. In this context, the **Project 13.3** 'Quality Management' should be seen as a real *ad hoc* project whose full accomplishment

will eventually mean for the Agency the adhesion to an organisation-wide culture more orientated to value creation for stakeholders coupled with a continuous effort towards improvement.

Based on the results of the Common Assessment Framework (CAF) initiative, the Agency has, in 2012, defined and prioritised improvement actions. These actions were then implemented with the aim to continuously improve the Agency's performances.

Principal Outputs 2012	Timing/ Frequency	Achieved
Coordination in establishing a process-based management system within the Agency including management of relevant framework contract	Ongoing	Framework contract ongoing Adoption of the following documents: Process Map, Documents/Records Management, Internal Quality Audit, QMS Review, and Opinion/Advice processes Implementation/training on the opinion/advice process
Implementation of the CAF action plan	Ongoing	CAF Action Plan established in May 2012 Implementation of the action plan is ongoing
Perform evaluation of a process-based management system and provide assurance to AO regarding its performance	Q2 2012	Evaluation postponed in Q2 2013 to be based on the new QMS review process

B. Governance, Management and Internal Control Systems

Administrative Board

The Administrative Board is the main governing body of the Agency. Its mission is to effectively ensure that the Agency accomplishes its functions and it is vested with the necessary powers for this, including establishing the work programme and budget.

The Board is composed of four representatives of the European Commission and one from each of the Member States. Representatives of Norway and Iceland participate as members without voting rights along with six representatives from the railway sector who represent railway undertakings, infrastructure managers, the railway supply industry, worker unions, passengers and freight customers. In 2012, representatives of Croatia joined as observers of the Board in view of full EU accession in July 2013.

2012 was the third year in office for the Board Chair, Mr Michael Harting, and Deputy-Chair, Mr Janos Berenyi.

In November 2012 elections took place for the Chair and Deputy-Chair of the Administrative Board.

The members of the Board elected the Chairman, Mr Christopher Irwin, representing the European Passenger's Federation, and Deputy-Chairman, Mr Hinne Groot, representative of the Netherlands. Their term of office is for three years. Mr Christopher Irwin, the Vice-President of the European Passengers' Federation, has represented passengers on the Agency's Board since its inception in 2005. Since 2009 he has chaired the Board's finance, budget and human resources Sub-Committee. Mr Hinne Groot has

represented the Netherlands on the ERA Board since 2009. He was a member of the Board's reflection group which proposed improvements to the future governance of the Agency in the context of new legislation planned to be proposed by the European Commission.

This year the Board closely followed the ongoing debate on the future development of the Agency and, in June, published a position paper with proposals to improve the governance and functioning of the Agency. The paper was drafted in view of the forthcoming revision of the Agency regulation within the planned broader European Commission legislative initiative, the 4th Railway Package. The Board considered by consensus a number of important topics that had to be addressed through the revision of Agency regulations such as multi-annual programming, strengthening the participation of the Representative Bodies/stakeholders, enhancing early cost-benefit analysis, ensuring a sufficient level of dissemination of railway-related information and training, targeted focus on railway research as well as improvement of interfaces with other related EU policies and international relations aiming to keep up with developments in the scientific and technical field and ensure progress.

The members of the Board continued to closely follow these proposals and they supported the Executive Director to implement them in the future. The Board will be informed regularly on the follow-up.

Sub-Committee

The Sub-Committee on financial, budgetary and staff-related issues was created in 2009 in order to provide advice on these matters prior to Administrative Board decisions.

In 2012 the Sub-Committee met five times: its meetings usually take place before those of the Administrative Board. The Sub-Committee reports regularly to the Board.

This year the Sub-Committee focused its attention in particular on the situation of staff turn-over and the constraints related to the limited contract duration of staff recruited from railway sector professionals. It discussed possible proposals for modifications in view of the new legislation.

It continued supervising the budgetary challenges to be met in order to achieve improvements in the budget implementation by respecting the principle of annularity, increasing the level of payments appropriations and communicating more efficiently on the identified areas of development.

In addition, it stressed the need to accelerate the establishment of key performance indicators, activity-based budgeting as well as impact assessment of the activities and tasks of the Agency. The Sub-Committee committed to closely follow their implementation.

Reflection Group

Following the setting up of an *ad-hoc* Reflection Group with a mandate to propose a position paper on the future role of the Agency, decided by the Administrative Board in 2011, the group presented a draft position paper in June 2012.

The Reflection Group identified several subjects to which it could bring additional value such as promoting a common European railway culture, the development of European specifications, making information available, reviewing the implementation of the EU framework, supervising and enforcing the framework and strategic planning.

The discussions were consistent with three Commission operational policy objectives identified for the impact assessment study.

It evaluated options against the future objectives being

proposed by the Commission for the Agency with a view to recommending proposals which would make a useful contribution to these objectives while taking account of the wider potential economic, social, environmental, administrative benefits.

The Reflection Group started its work in November 2011 and concluded in June 2012. In reaching its conclusions the group worked by consensus. The results of its work were presented in June 2012 to the Administrative Board. The Board fully accepted its recommendations. A follow-up meeting exploring the implementation of the proposals took place in September 2012. Its conclusions were presented in the November 2012 Board meeting.

Summary of Board Decisions

25th Administrative Board Meeting, 20 March 2012, held in Lille, France

The Administrative Board adopted an amendment to 2012 Work Programme, the 2013 statement of estimates, a Multi-annual Staff Policy Plan 2013-2015 and appointed two reporting officers for the 2012 appraisal exercise of the Executive Director.

26th Administrative Board Meeting, 26 June 2012, held in Lille, France

The Administrative Board gave its opinion on the 2011 Annual Accounts, adopted the 2011 Annual Report, approved transfers of the 2012 budget appropriations and agreed on a position paper with proposals on the governance and the

functioning of the Agency.

27th Administrative Board Meeting, 27 November 2012, held in Lille, France

The Administrative Board elected Mr Christopher Irwin as Chairman and Mr Hinne Groot as Deputy-Chairman for a three-year term of office, adopted the 2013 budget, subject to the adoption of the 2013 EU budget, decided to adopt the 2013 Work Programme by written procedure and decided to amend the composition and terms of reference of the Sub-Committee during its March 2013 meeting.

In addition, the Administrative Board adopted by written procedure the 2011 Annual Report.

Financial reporting

Revenue

The Budgetary Authority approved for 2012 a Agency budget of EUR 24 871 400. The total for assigned revenues was up to EUR 520 000 and the EFTA contribution was up to EUR 636 600. The Agency also received a grant from DG Enlargement of EUR 150 000 and external fees of EUR 5 000. The total budget amounted to EUR 25 799 000.

The total revenue received from the Commission and external entities was EUR 25 799 000. On top of this the Agency received EUR 115 423.71 of other revenue, representing penalties for liquidated damages paid by two suppliers.

Expenditure

In 2012, the Agency committed 94.9 % of the available appropriations.

EUR 1.3 million out of the total planned subsidy of EUR 25.8 million was not used. This high amount comes from the fact that the Agency has forecasted to pay the 2011 salary adjustment which is still pending a Court decision. Also the 2012 salary adjustment has been rejected by the Council. The budgetary impact calculated is EUR 0.6 million. Thus in total 2.3 % of the total amount of commitment appropriations could not be executed. All the Agencies and Institutions are faced with this budgetary issue. In order not to impact the 2013 budget, the Commission decided that the unused 2012 appropriations will be exceptionally assigned in 2013 to pay the 2011 and 2012 salary adjustments should the Court give a positive decision.

As regards the payments, the Agency used 90 % of the appropriations committed in 2012. The 10 % that are carried

over to 2013 mainly concern operational expenditure (Title 3). In addition, 96.5 % of the appropriations carried over from 2011 (C8 credits) have been executed.

With regard to the original procurement plan, approved by the Administrative Board as part of the Work Programme 2012 and which serves as the Agency's financing decision, some procedures needed to be amended and the revised list of procurement procedures was submitted for adoption to the Administrative Board in March 2012. As a result all planned procedures have been executed.

It is worth mentioning that in 2012 the Agency regularly used the 'procurement requests' application under the 'Procurement'intranet. The 'procurement requests' tool allows the centralisation and standardisation of the procurement requests and will also be used in 2013 for preparing the procurement plan annexed to the Work Programme.

Financial KPIs

Global C1 Commitment rate: 94.9 % (reservation for salary adjustments 2011 & 2012: 2.3 %)

Commitment rate Title 1: 94.5 %

Commitment rate Title 2: 98.1 %

Commitment rate Title 3: 94.9 %

Global C1 Payment on commitment rate: 90.2 %

C1 Payment on commitment rate Title 1: 98.8 %

C1 Payment on commitment rate Title 2: 87.7 %

C1 Payment on commitment rate Title 3: 70.0 %

Global C8 Payment rate: 96.5 %

C8 Payment rate Title 1: 92.0 %

C8 Payment rate Title 2: 93.8 %

C8 Payment rate Title 3: 97.4 %

Rate of commercial invoices paid within 30 days: 97 % (target: 95 %)

Rate of procurement procedures launched and concluded against the plan: 100 % (target: 100 %)

Risk Management

The Agency continued to implement a risk-management process during 2012 aimed at identifying the risks which needed to be mitigated for guaranteeing reasonable assurance about the achievement of the main objectives. During the second semester of 2012 a High Level Risk Assessment (HLRA) exercise was carried out and allowed the Agency to identify six new risks for inclusion in the Risk Register which contained 10 risks in total at the end of 2012. Mitigating plans were produced for the six new risks identified during the HLRA.

Concerning the four risks contained in the Risk Register at the beginning of 2012, the Agency implemented the established mitigating plans during 2012 and checked their evolution

biannually. In this regard, an adjustment of previous plans was carried out for the four existing risks in the context of the HLRA. It is envisaged that these risks will be closed during 2013.

During 2012 a review of the risk-management process was carried out aimed at producing an enhanced risk-management framework for the Agency. The revised risk-management process will be implemented by the Agency during 2013 following approval by the Quality Steering Group.

Please find below an extract of the Risk Register version Q4 2012 (snapshot 31 Dec. 2012) including a full report on mitigating actions covering the years 2012 and 2013.

Risk Register	Version Q4 2012
Risk Description	Reporting on Mitigating Action
<p>1. Business Continuity</p> <p>Root cause – Insufficient business continuity measures.</p> <p>Effect – May risk the performance of critical business processes.</p>	<p>Action Plan 2013: Mitigation actions in four activity areas (IT, HR, Health & Safety, Document Management) have been implemented since 2012 and will be continued during 2013 in order to close this risk.</p> <p>Actions carried out in 2012: Risk levels stemming from IT and Health & Safety decreased during 2012 following the effective implementation of mitigating actions such as the completed Disaster Recovery Mobile Rack and the H&S working group established.</p>
<p>2. Stakeholders Relation Management</p> <p>Root cause – Lack of a stakeholder relation management system hampering the Agency's capacity in effectively gathering stakeholder expectations/needs.</p> <p>Effect – May impair the quality of objectives defined in the annual Work Programme. Reputational risk as well.</p>	<p>Action Plan 2013: Formalisation of a stakeholder management process in the framework of the quality project to be produced until Q2 2013.</p> <p>Actions carried out in 2012: Stakeholder analysis carried out during CAF leading to stakeholder mapping. Supported by this analysis, meetings/workshops were installed with key Agency stakeholders: NRB, NSA, NIB and EU Commission.</p>
<p>3. Performance Measurement</p> <p>Root cause – Lack of a formal tool for measuring Agency's performance may lead to</p> <p>Effect – Significant weakening of the decision-making and planning processes risking the overall sustainability of core business.</p>	<p>Action Plan 2013: Mitigation by developing a set of KPIs which enables performance measurement. This will be realised in the framework of the quality project.</p> <p>Actions carried out in 2012: Implementation was delayed.</p>
Risk Description	Reporting on Mitigating Action
<p>4. Communication Strategy and Practices</p> <p>Root cause – Lack of communication strategy and codified practices may negatively impact.</p> <p>Effect – Impact ability of the Agency in effectively conveying messages to key stakeholders and in running crisis management events efficiently, thus putting into danger an effective, timely and consistent implementation of the Agency's output in the railway sector.</p>	<p>Action Plan 2013: Overarching communication strategy and efficient dissemination concepts will be set up until Q2 2013.</p> <p>Actions carried out in 2012: Implementation was delayed.</p>

5. Reduction of Resources as of 2014

Root cause – The persistent financial crisis in Europe may lead the European Council and Parliament to propose severe budget restrictions to the EU budget financial perspectives 2014-2020 in addition to the required budget cuts for 2013.

Effect – The Agency may be required to cut its budget again for 2014 and onwards with an impact on the timely delivery of different Agency's outputs linked to the strategic objectives.

Action Plan 2013: Mitigation by means of actions requiring support from planning and communication processes.

Actions carried out in 2012: New risk, so no mitigating action was implemented during 2012.

6. Comprehensibility of ERA's outputs

Root cause – Poor clarity and low understandability of ERA's outputs/products could lead to...

Effect – rejection and/or reluctance by ERA stakeholders in using/accepting the outputs thus leading to the Agency being unable to prove the fulfilment of its strategic objectives as stated in the WP.

Action Plan 2013: Mitigation by means of specific actions aimed at increasing the simplicity and clarity of ERA's output. This will be assured by regularly using test user groups and by collecting stakeholder feedback when developing and improving products and services.

Actions carried out in 2012: New risk, so no mitigating action was implemented during 2012

7. Change of Legal Framework

Root Cause – Current EC proposals for the 4th Railway Package would fundamentally change the approach and the related responsibilities of the safety certificate.

Effect – This could lead to lack of commitment from our different stakeholders to harmonise their way of working thus endangering the timely and consistent implementation of the Agency's output with negative impact on Objectives 1, 2 and 4.

Action Plan 2013: Mitigation by means of proactive actions *vis-à-vis* stakeholders consisting of: 1: Be regularly updated by the EC on the status of this proposal of change for the 4th RP.

2: If the proposal seems to be confirmed, organise regular discussions with NSAs during the NSA network or bilaterally to establish the transition from NSA granting from the SC to the ERA.

3: If the proposal seems to be confirmed when discussions confirm lack of harmonisation, provide active support to the NSA (if resources are available).

Actions carried out in 2012: New risk, so no mitigating action was implemented during 2012

8. Evolution of ERTMS outside Europe

Root cause – ERTMS deployment is progressing at a much faster pace outside the EU; the EU market is now reduced to about 50 % of the total. This will lead to the ERTMS being more and more influenced by non-EU requirements, contracts and context.

Effect – There is a risk that in the medium term the Agency role of system authority will be put in question thus endangering the timely and consistent implementation of the ERTMS outputs with negative impact on Objective 3. In particular the objective of Art 1 of the Interoperability Directive 'to progressively establish the market for products and services' will be put in jeopardy if the EU technical harmonisation does not take account of the worldwide standardisation of ERTMS.

Action Plan 2013: Mitigation by means of proactive raising awareness towards stakeholders. The two main actions at the level of the Agency are: 1) To increase our awareness of the global standardisation efforts, of the actors and strategic directions: this can be done with the help of the sector, with participation in selected Conferences, etc. 2) To pursue, and when possible, to intensify our contacts with Regulatory Bodies outside the EU, to share experiences, to understand approaches and when possible to coordinate actions: this can be done e.g. with the cooperation agreements or MoU (like the one with FRA).

Actions carried out in 2012: New risk so no mitigating action was under implementation during 2012

Risk Description

Reporting on Mitigating Action

9. Delay Concerning Agency Registers

Root Cause – Lack of stakeholder agreement on the purpose and method of the use of ERA's Registers may lead to...

Effect – rejection and/or reluctance in using this product by stakeholders thus impacting the related objectives with significant reputational risks *vis-à-vis* ERA's stakeholders

Action Plan 2013: Escalate the issue at an appropriate level for its effective resolution, i.e. RISC and EC in order to reach an acceptable level of consensus among stakeholders as regards the development of Registers.

Actions carried out in 2012: New risk, so no mitigating action was implemented during 2012

10. Delays in the Execution of Procurement Procedures

Root Cause – (1) Inappropriate procurement planning; (2) delays in preparation of procurement documentation; (3) delays in the evaluation process. (1), (2) and (3) leading to...

Effect – late contract signatures causing:

- excessive carryovers, putting the annuality principle at stake;
- delays in the implementation of the Work Programme;
- high exposure to criticism and findings from ECA;
- putting at risk the discharging process from the Budgetary Authority (COCOBU);
- reputational risk.

Action Plan 2013: Escalate the issue at an appropriate level for its effective resolution, i.e. RISC and EC in order to reach an acceptable level of consensus among stakeholders as regards the development of Registers.

Actions carried out in 2012: New risk, so no mitigating action was implemented during 2012



Internal Control Standards

Compliance with Internal Control Standards

16 ICS were adopted by the Agency in line with the requirement of its Financial Regulation (Art 38,4).

The Internal Control Coordinator carried out a compliance check on the implementation of the Internal Control Standards (ICS) during 2012.

The aim of this exercise was to provide the Executive Director with relevant information on the status of the internal control system within the Agency, to reinforce his declaration of assurance contained in this Annual Activity Report.

The evaluation on compliance showed that the Agency still needs to make some effort in order to achieve full compliance on 50 % of the standards, while minor improvements are required for the remaining 50 %.

Please find below a summary table on 2012 ICS assessment.



Ref. ICS	Full Compliance	Partial Compliance	Actions planned for 2013 for achieving full compliance
ICS 1 Mission	Full Compliance		
ICS 2 Ethics and Values		Partial Compliance	Development of an Agency Code of Ethics and KPIs for monitoring ethics and value.
ICS 3 Staff Recruitment Mobility, Turnover		Partial Compliance	Enhance effective control over the management of Job Descriptions.
ICS 4 Staff Performance, Management and Development	Full Compliance		
ICS 5 Objectives and Performance Indicators		Partial Compliance	Development of KPIs and multi-annual planning in the context of the quality project.
ICS 6 Risk Management Process	Full Compliance		
ICS 7 Operational Structure	Full Compliance		
ICS 8 Process and Procedures		Partial Compliance	The Agency will continue during 2013 to design and implement process and procedure documentation in line with the process map.
ICS 9 Management Supervision	Full Compliance		
ICS 10 Business Continuity		Partial Compliance	Mitigating actions will continue to be implemented in particular in the area of human resources in order to enhance the business continuity of core processes.
ICS 11 Document Management		Partial Compliance	DMS to be finalised and implemented during 2013 by achieving full integration with the ISO approach adopted by the Agency.
ICS 12 Information and Communication		Partial Compliance	Development of a formal Communication policy and practices will be completed during 2013.
ICS 13 Accounting and Financial Reporting	Full Compliance		
ICS 14 Evaluation of Activities	Full Compliance		
ICS 15 Assessment of the Internal Control System	Full Compliance		
ICS 16 Internal Audit/Quality Capability		Partial Compliance	This standard will be amended during 2013 as the IAC function was abolished during 2012.

C. Building Blocks Towards the Declaration of Assurance

Assessment by management

Results of budgetary monitoring

The 2012 budget was subject to close and regular monitoring to ensure optimal and sound management of the Agency's financial resources.

The level of commitment execution reached nearly 95 %, i.e. the same level as in 2011. The unused amount comes mainly from the fact that in 2012 the Agency forecasted to pay the 2011 and 2012 salary adjustments. Both are pending a Court decision. All Agencies and institutions are faced with this budgetary issue.

As regards the payment appropriations, the Agency used 90 % of the committed appropriations compared to 85 % in 2011. This significant improvement is a result of serious actions aimed at reducing the carry-overs, in particular for operational expenditure (Title 3 of the budget) mainly by strengthening the procurement planning and procedures and improving the procedures for payments by reducing the processing time.

Legality and regularity

Depending on the risk level of the transaction, ERA has implemented two workflows: one complete workflow model for high-risk transactions and one light workflow model for low-risk transactions (amount < EUR 1 000). These differentiated workflows apply only to payments.

An *ex-ante* financial verification is processed for high-risk transactions while in the simplified, low-risk workflow, the financial verifying agent has been removed and an *ex-post* control for this particular expenditure is carried out.

Accordingly, in 2012 *ex-post* controls continued to be carried out using the same methodology as in the past: sampling, details findings and reports with recommendations. The result of the controls was satisfactory as regards reimbursing experts, Administrative Board members and the payment of commercial invoices, where no errors were detected. However, the control revealed a number of recurrent errors/inconsistencies related to the reimbursement of staff missions. These concern: duration of the mission, compliance with the mission guide and clerical errors. Even though the errors are not financially significant as they represent small amounts, there is a clear need to put in place rules ensuring more coherence in this regard.

A simplified Annual Activity Report has been signed by all Delegated Authorising Officers who have to formally endorse the responsibility of the financial transactions validated in the course of 2012 and to declare any conflict and/or fraud of which they might be aware. Following a note from the IAS, the reports have been improved to also reflect the validation of the mass payment files which were not included in the 2011 annexes. The simplified AAR is integrated in the AAR of the Executive Director.

Validation of the accounting system

The Accounting Officer carried out a validation of the local systems. No issues were discovered, implying that the financial management system at ERA does not meet the validation criteria. Nevertheless, different actions will need to be implemented in 2013 to address the identified weaknesses. A review will be carried out before the end of 2013.

Registration of exceptions

No financial loss for the Agency has resulted from the exceptions registered in 2012.

Nearly half of 43 exceptions related to the late submission of staff mission cost claims. In addition:

- 13 exceptions were related to a breach of Article 62 of the ERA FR (no commitment or underestimation of the commitment foreseen to cover a legal obligation);
- Six exceptions were related to procurement rules (two *a posteriori* increased market ceiling, no proper low value procedure in three cases and one extension of a framework contract);
- One exception related to the expert reimbursement rules where the Agency prepaid flights and hotels for IPA working group members;
- One exception related to the wrong use of a budget line (administrative mission charged on an operational budget line);
- One exception related to the implementation of a flat fee reimbursement of Lille missions without the official agreement of the Commission following Article 110;
- Two exceptions related to staff contracts (seconded staff not foreseen in the Staff Regulation and contract extension not foreseen in the Founding Regulation).

The Agency needs to address the weaknesses identified in the exceptions and namely:

- to develop an automatic reminder to the staff members after the mission has been completed;
- to give information sessions to explain to staff how to avoid situations like '*a posteriori* commitment' or the wrong use of low-value market procedures.

Fraud

Indicator	Result 2012	Result 2012	Variance analysis/comments
Cases referred to OLAF	0	0	N/A

Data protection

Context

Following the European Data Protection Supervisor's visit to the Agency and the agreement in 2011 of a Data Protection Road Map for reaching data protection compliance, in 2012 the Agency continued implementing the actions to attain the set targets.

A number of actors, mainly the [Data Protection Officer](#) and the [Data Controllers](#) (Head of Units) were actively involved and contributed in order for the Agency to advance towards data protection compliance and respect the commitments taken by agreeing to the Road Map.

An implementation plan was defined and supported by the management of the Agency. It details objectives, responsible units, actions and deadlines. Success criteria and a tracking process were also foreseen for each objective and action.

The aim was to become compliant with the Agency rules by ensuring that the personal data of the Agency staff, as well as those of our external partners, are lawfully, adequately, proportionately and properly processed in line with Regulation No 45/2001.

ERA DPO Inventory

The Agency completed in 2012 the setting up of the inventory in a database which comprises all the personal data processing operations. The inventory includes a risk assessment for each data protection: the risk level of each processing is identified in a range of four risks levels (Level 1 being the highest) Level 1: Processing of personal data to be submitted to the EDPS (Articles 9, 10, 19, 20, 27 and 37 of Regulation No 45/2001), Level 2: Processing of personal data which binds the Institution's liability towards the outside, Level 3: Important, sensitive and visible processing of personal data internal to the Institution, Level 4: All other processing of personal data.

The priority this year was given to the notifications for processing personal data with risk levels one and two.

ERA DPO Register

All processing operations or sets of operations intended to serve a single purpose or several related purposes must be notified by the data controller to the DPO. The information provided includes the set of data specified in Article 25 of [Regulation \(EC\) No 45/2001](#).

The DPO should keep a register of processing operations notified by the data controllers.

Similar to the inventory, the ERA DPO Register is a database finalised this year and contains all notifications submitted to the DPO in line with the requirements set by [Regulation \(EC\) No 45/2001](#).

The ERA DPO Register is now almost complete, the Agency will continue to keep it updated.

Staff training and awareness raising

Staff training comprises sessions for all staff members as well as targeted modules for newcomers and for staff who will be more involved in implementing Regulation No 45/2001.

In the framework of the awareness raising actions foreseen in the plan, an intranet data protection page has been created at the Agency which is easily accessible and simple to understand. All staff have access by opening the ERA intranet page 'ERA Essentials'.

All induction sessions, training of newcomers, staff with specific needs and general training have been implemented in 2012 and to a certain extent awareness actions have occurred (articles in the internal newsletter, presentation in the general staff assembly etc.).

EDPS recommendations follow-up mechanism and revision of implementing rules

The Agency adopted a policy for the follow-up of the EDPS recommendations which are issued with its opinions on the prior-checking notifications.

After each prior-check notification the EDPS issues an opinion. It can conclude with recommendations or not depending on the case, the Agency has then three months to implement them. For all the opinions received the recommendations have been implemented. The data controllers/heads of units are responsible for their implementation.

The revision of the ERA Data Protection Implementing Rules was completed in 2012 in order to reflect the introduction of the follow-up mechanism.

Outputs

This year, the ERA Data protection inventory has 59 notifications: 17 Article 27 prior-check notifications to the EDPS, 42 Article 25 notifications to the DPO.

6 prior-check notifications have been submitted to the EDPS out of seven notifications pending.

One is under drafting (administrative and disciplinary procedures), the underlined procedure is not yet finalised, therefore could not be notified to the EDPS.

42 Article 25 notifications were notified to the DPO register, two (flexitime and e-HR management) have to be updated to the changes in the procedures which foresee the personal data processing.



Results from audits and evaluations during the reporting year

In the following paragraphs will present the activity carried out by the bodies providing internal and external auditing services to the European Railway Agency. This activity is considered essential for the Executive Director in order to build his declaration of assurance.

Audits European Court of Auditors (ECA)

In its report on the annual accounts of the European Railway Agency for the financial year 2011 ⁽¹⁾, the European Court of Auditors expressed the following opinions:

Opinion on the reliability of the accounts

'In the Court's opinion, the Agency's Annual Accounts ⁽²⁾ present fairly, in all material respects, its financial position as of 31 December 2011 and the results of its operations and its cash flows for the year then ended, in accordance with the provisions of its Financial Regulation and the accounting rules adopted by the Commission's accounting officer ⁽³⁾.'

Opinion on the legality and the regularity of the transactions underlying the accounts

'In the Court's opinion, the transactions underlying the annual accounts of the Agency for the financial year ended 31 December 2011 are legal and regular in all material respects.'

The Court of Auditors has commented the high level of carry-overs. This issue was addressed for several years by the Agency but one could only see the positive effects of the measures taken by the Agency in the middle term. In 2012, the Agency managed to have levels of carry-overs which are in line with the levels set by the Court of Auditors itself, namely a maximum of 10 % carry-overs for Title 1, a maximum of 20 % carry-overs for Title 2 and a maximum of 30 % carry-overs for Title 3 (see section 3.5).

In addition, the Court expressed its concern about the staff turnover that the Agency will face in the forthcoming years as a result of setting the maximum employment periods for temporary staff recruited from railway sector professionals. Accordingly, the recruitment procedure has been reviewed to ensure transparency and equal treatment of candidates and to address the Court's concerns.

The above comments do not call the Court's opinions into question.

Internal Audit Service (IAS)

The IAS started an audit within the Agency during the last quarter of 2012 with a final audit report received by the Agency on 29 January 2013. The audit focused on 'Building Blocks of Assurance' and resulted in 10 recommendations for the Agency. Only two out of 10 recommendations were rated as Very Important while the remaining eight were rated as Important (7) and Desirable (1).

Due to the late timing of the 2012 IAS audit, it is not possible to provide detailed information on the actions planned by the Agency in order to close the 10 recommendations contained in the audit report. Indeed, the Agency will be producing an action plan before the end of February 2013.

2 () OJ C 388, 15.12.2012.

3 () The Final Annual Accounts were drawn up on 4 July 2012 and received by the Court on 7 July 2012. The Final Annual Accounts, consolidated with those of the Commission, are published in the Official Journal of the European Union by 15 November of the following year. These can be found on the following website <http://eca.europa.eu> or www.era.europa.eu.

4 () The accounting rules adopted by the Commission's accounting officer are derived from International Public Sector Accounting Standards (IPSAS) issued by the International Federation of Accountants or, in their absence, International Accounting Standards (IAS)/International Financial Reporting Standards (IFRS) issued by the International Accounting Standards Board.

Please find below a summary on the two **Very Important** recommendations contained in the IAS audit report.

<p>Rec. No 1 documents the entire AAR and declaration of assurance processes, ensures its continuity and the compliance with legal requirements</p>	<ul style="list-style-type: none"> • The ERA should document the entire preparation processes of the AAR and the declaration of assurance as stipulated by ERA ICS No 8. The ERA could also develop a simple monitoring checklist that summarises all steps and legal requirements for helping the Agency in meeting all of them. • The ERA should put in place appropriate business continuity arrangements regarding the AAR and the declaration of assurance processes.
<p>Rec. No 3 further develops the information sustaining the Declaration of Assurance</p>	<ul style="list-style-type: none"> • In its future AARs, the Agency should report in more detail on the results of the ICS assessment, the important exceptions and on the state of play of implementing relevant recommendations from the different sources of assurance. • It should allow an external reader to come to the same conclusions as in the declaration of assurance issued by the Executive Director. • The materiality criteria should be presented to logically argue and underpin the ED declaration of assurance, irrespective of a reservation. The ED's declaration of assurance should explicitly mention the underlying sources of assurance.

It is worth informing the reader of the report that part of the above mentioned IAS recommendations were de facto already implemented by the Agency in compiling this Annual Activity Report 2012 in accordance with the auditor's recommendations.

Audits Internal Audit Capability (IAC) (where applicable)

During 2012 the Executive Director of the Agency decided to abolish the resident function of internal audit following a reflection on the best use of the available resources in the short and medium term. This decision was indeed driven by an in-depth cost/benefit analysis which has clearly indicated the need to set up an internal control coordinator function aiming at better supporting the Executive Director in implementing risk management and in assessing the internal control system, including evaluating the Internal Control Standards, its effective integration into the quality management system and the support in implementing the internal quality management audit. For this aim, the function of the internal control coordinator (ICC) has replaced the one of internal auditor (IA) at ERA from late 2012 onwards.

Follow up of reservations and action plans for audits from previous years

No reservations were issued by the Executive Director from the start of the activities of the Agency.

During 2012 the Agency has continued to implement corrective actions in order to close audit recommendations issued by the IAS in the previous years. In this regard, a significant effort was made during 2012 aimed at implementing an important number of audit recommendations. This effort resulted in implementing 18 recommendations which allowed IAS to close 14.

The Agency still needs to implement seven recommendations whose completion is envisaged within 2013, while four implemented recommendations are waiting for IAS's feedback in order to be closed.

Please find below a table summarising on the status of audit recommendations during the year 2012:

Number of open recommendations at the beginning of 2012	Number of open recommendations at the end of 2012	Recommendations implemented by the ERA during 2012	Recommendations under implementation during 2012	Recommendations closed by the IAS related to actions implemented by the ERA during 2012
25	10	18	7	15

Follow up of observations from the discharge authority

The discharge authority raised concerns regarding measures ensuring the respect of the budgetary principle of annuality, i.e. too high level of carry-overs of the Agency, in particular for operational expenditure.

As all new agencies, the ERA experienced a high level of carry-overs in the first years of its existence. This however has changed in recent years. In the absence of official norms and guidelines, the ERA decided to follow the ambitious targets recommended by the Court of Auditors and reduce, in 2013, the carry-overs to no more than 1 % under Title 1, 10 % under Title 2 and 30 % under Title 3.

Looking at the level of carry-over reductions from 2012 to 2013, the targets set for 2013 were almost reached in 2012. It should also be noted that practically all amounts carried over were actually spent during the following year.

- The actions taken by the ERA to achieve this very significant reduction in carry-overs have mainly been:
- Improved business and procurement planning;
- More widespread use of framework contracts;
- Better alignment of contracts and payment schedules within the calendar year;
- Improved procedures for payments, reducing processing time.

All this has been supported by targeted training activities for the relevant staff and should be seen as part of the increasing maturity of the organisation. Also, it should be recalled that such actions cannot have an immediate effect and that the improvements demonstrated recently in part are a result of activities initiated several years earlier.

Efforts will be continued in all areas to secure that the targets set for 2013 are reached.

The Agency provided the discharge authority with detailed information on the actions taken by the Agency. This shall be reflected in the report of the Court of Auditors for the 2012 exercise.

Conclusions

Based on all the elements and facts presented in the previous sections, it can be concluded that the information presented in the previous sections is reasonably complete and reliable and provides an exhaustive and fair view of the Agency's situation.



D. Declaration of Assurance

I, the undersigned, Executive Director of the European Railway Agency,

In my capacity as authorising officer,

Declare that the information contained in this report gives a true and fair view.

State that I have reasonable assurance that the resources assigned to the activities described in this report have been used for their intended purpose and in accordance with the principles of sound financial management, and that the control procedures put in place give the necessary guarantees concerning the legality and regularity of the underlying transactions.

This reasonable assurance is based on my own judgment and on the information at my disposal, such as the results of the self-assessment, ex-post controls, the work of the Internal Audit Service and the lessons learnt from the reports of the Court of Auditors for years prior to the year of this declaration.

Confirm that I am not aware of anything not reported here which could harm the interests of the Agency.

Valenciennes,



Marcel VERSLYPE

Annex I Statistics on financial management (provisional accounts)

Table 1 – Budget execution

2012	Appropriations	Commitments	% / App	Payments	% /App	Carry-over	% /App
Title I	16 816 000	15 891 955	95	15 706 125	93	185 830	1
Title II	2 100 000	2 060 363	98	1 807 133	86	253 230	12
Title III	6 883 000	6 536 859	95	4 577 177	67	1 959 682	28
Total							
Annual Subsidy	25 799 000	24 489 177	95	22 090 435	86	2 398 742	9



Table 2a: Negotiated Procedure

Contracts ≤ EUR 25 000 Contracts ≥ EUR 60 000

Count: 5

Total Amount: EUR 229 599.92

* FR (IR): Financial Regulation (Implementing Rules)

Number	Contractor(s)		Type of Contract	Description	Amount (€)	Legal Base
	Name	Address				
ERA/2012/DIR/NP/01	FAIRNET GmbH	Gradestrasse 50 DE 12347 Berlin	Direct Service Contract	L'aménagement du stand de l'Agence sur le salon ' Innotrans ' à Berlin du 18 au 21 septembre 2012	29 948.60	IR – Art 129
ERA/2012/SAF/NP/02	UNIVERSITY OF NOTTINGHAM	University Park UK NG7 2RD Nottingham	Direct Service Contract	Develop a framework of the human functions in railway operation, including rolling stock maintenance and infrastructure engineering, in Europe. Using existing research findings and other documents, a function analysis approach is required to identify safety-critical tasks and generic, high-level goal and sub-goal structures.	57 600.00	IR – Art 129
ERA/2012/SAF/NP/01	VTT Expert Services	Biologinkuja 7 FI 02150 Espoo- FINLAND	Direct Service Contract	The subject of the Contract is to provide an extensive review to screen and select what techniques and methods are available and could be used in auditing the safety-management system of RUs and IMs.	49 900.00	IR – Art 129
ERA/2012/INTEROP/NP/01	NICHOLAS JS KNOWLES	45 Thornill Road UK N1 1 JS Islington London (UK)	Direct Service Contract	Study on the standard for the exchange of fare information in the context of connection with other modes of transport (NeTEx Part 3).	59 900.00	IR – Art 129
ERA/2012/XACC/NP/01	INECO	Paseo de la Habana 138 28036 Madrid (ES)	Direct Service Contract	Studies to enhance and improve Cross Acceptance	32 251.32	IR – Art 129

Table 2b: Summary of Procedures

(Excluding real estate contracts

and contracts ≤ €25.000)

Type of contract	Count	Amount (€)
Supply	1	500 000.00
Services	10	3 230 039.92
Works	0	0
TOTAL	11	3 730 039.92

Procedures	Count	Amount (€)
Open	6	3 500 440.00
Restricted	1	60 000.00
Negotiated	7	345 000.00
Negotiated Competing	0	0
Other	0	0
TOTAL	14	3 905 440.00

Table 3: Real Estate Contracts

Number	Contractor(s)		Type of Contract	Description	Amount (€)	Legal Base
	Name	Address				
N/A	Communauté d'agglomération de Valenciennes Métropole Hôpital du Hainaut, 2 Place de l'Hôpital Général BP 60227 59305 Valenciennes Cedex FRANCE	Hôpital du Hainaut, 2 Place de l'Hôpital Général BP 60227 59305 Valenciennes Cedex FRANCE	Building contract	Lease contract of ERA's headquarters 120 rue Lefrancq 59300 Valenciennes FRANCE	395 904.00	IR – Art 126(h)

Table 4: Economic Outturn Account (provisional accounts)

ECONOMIC OUTTURN ACCOUNT	31.12.2012	31.12.2011
Revenues from administrative operations	1 954.05	7 202.00
Other operating revenues	24 389 188.98	24 722 091.23
Subsidy received	24 345 524.81	24 562 926.98
Titles 1 & 2	18 716 000.00	18 145 000.00
Title 3	6 928 000.00	6 398 665.00
Part of Phare Funds subsidy used in 2010	135 861.21	155 945.31
To be reimbursed (Budget out-turn)	- 1 434 336.40	- 136 683.33
Miscellaneous revenue	43 664.17	159 164.25
TOTAL OPERATING REVENUE	24 391 143.03	24 729 293.23
Administrative expenses	- 20 256 388.49	- 19 157 034.10
<i>Staff expenses</i>	- 15 501 592.56	- 15 495 627.47
<i>Fixed assets related expenses</i>	- 785 750.91	- 494 913.16
<i>Other administrative expenses</i>	- 3 969 045.02	- 3 166 493.47
Operational expenses	- 5 482 381.35	- 6 062 146.83
<i>Other operational expenses</i>	- 5 482 381.35	- 6 062 146.83
TOTAL OPERATING EXPENSES	- 25 738 769.84	- 25 219 180.93
SURPLUS (DEFICIT) FROM OPERATING ACTIVITIES	- 1 347 626.81	- 489 887.70
Financial revenues	0.00	0.00
Financial expenses	- 30.00	- 119.65
Movement in pensions (-expense; + revenue)	0.00	0.00
SURPLUS (DEFICIT) FROM NON-OPERATING ACTIVITIES	- 30.00	- 119.65
SURPLUS (DEFICIT) FROM ORDINARY ACTIVITIES	- 1 347 656.81	- 490 007.35
Extraordinary gains (+)	0.00	0.00
Extraordinary losses (-)	0.00	0.00
SURPLUS (DEFICIT) FROM EXTRAORDINARY ITEMS	0.00	0.00
ECONOMIC RESULT OF THE YEAR	- 1 347 656.81	- 490 007.35

Table 5: Balance sheet (provisional accounts)

BALANCE SHEET – ASSETS	31.12.2012	31.12.2011
A. NON-CURRENT ASSETS		
Intangible assets	1 446 937.83	962 955.33
Property, plant and equipment	1 009 235.00	1 117 412.50
Land and buildings	5 270.00	0.00
Plant and equipment	2 828.00	1 550.00
Computer hardware	831 772.00	924 156.00
Furniture and vehicles	97 983.00	98 129.00
Other fixtures and fittings	71 382.00	93 577.50
Leasing	0.00	0.00
Tangible fixed assets under construction	0.00	0.00
Long-term receivables	0.00	2 954.00
Long-term receivables	0.00	0.00
TOTAL NON-CURRENT ASSETS	2 456 172.83	2 083 321.83
B. CURRENT ASSETS		
Short-term pre-financing	0.00	117 480.00
Short-term pre-financing	0.00	117.480,00
Short-term receivables	663 074.42	598 238.37
Current receivables	618 903.41	587 558.51
Long-term receivables falling due within a year	0.00	0,00
Sundry receivables	44 171.01	10 679.86
Other	0.00	0.00
Accrued income	0.00	0.00
Deferred charges	0.00	0.00
Deferrals and accruals with consolidated EC entities	0.00	0.00
Short term receivables with consolidated EC entities	0.00	0.00
Cash and cash equivalents	3 214 156.49	3 273 368.53
TOTAL CURRENT ASSETS	3 877 230.91	3 989 086.90
TOTAL	6 333 403.74	6 072 408.73

BALANCE SHEET – LIABILITIES	31.12.2012	31.12.2011
A. CAPITAL	3 029 317.91	4 376 974.72
Accumulated surplus/deficit	4 376 974.72	4 866 982.07
Economic result of the year -profit+/loss-	- 1 347 656.81	- 490 007.35
C. NON-CURRENT LIABILITIES	0.00	0.00
Employee benefits	0.00	0.00
Long-term provisions	0.00	0.00
TOTAL NON-CURRENT LIABILITIES	3 029 317.91	4 376 974.72
D. CURRENT LIABILITIES	3 304 085.83	1 695 434.01
Provisions for risks and charges	592 433.78	146 066.42
Accounts payable	2 711 652.05	1 549 367.59
Current payables	33 289.03	35.287,48
Long-term liabilities falling due within the year	0.00	0,00
Sundry payables	7 270.07	98 392.49
Other	1 104 865.13	1 237 996,57
Accrued charges	826 848.88	1 130 130.31
Deferred income	0.00	0.00
Deferrals and accruals with consolidated EC entities	278 016.25	107 866.26
Accounts payable with consolidated EC entities	1 566 227.82	177 691.05
..... <i>Pre-financing received from consolidated EC entities</i>	1 448 475.19	136 683.33
..... <i>Other accounts payable against consolidated EC entities</i>	117 752.63	41 007.72
TOTAL CURRENT LIABILITIES	3 304 085.83	1 695 434.01
TOTAL	6 333 403.74	6 072 408.73

Table 6: Budget and revenue outturn (provisional accounts)

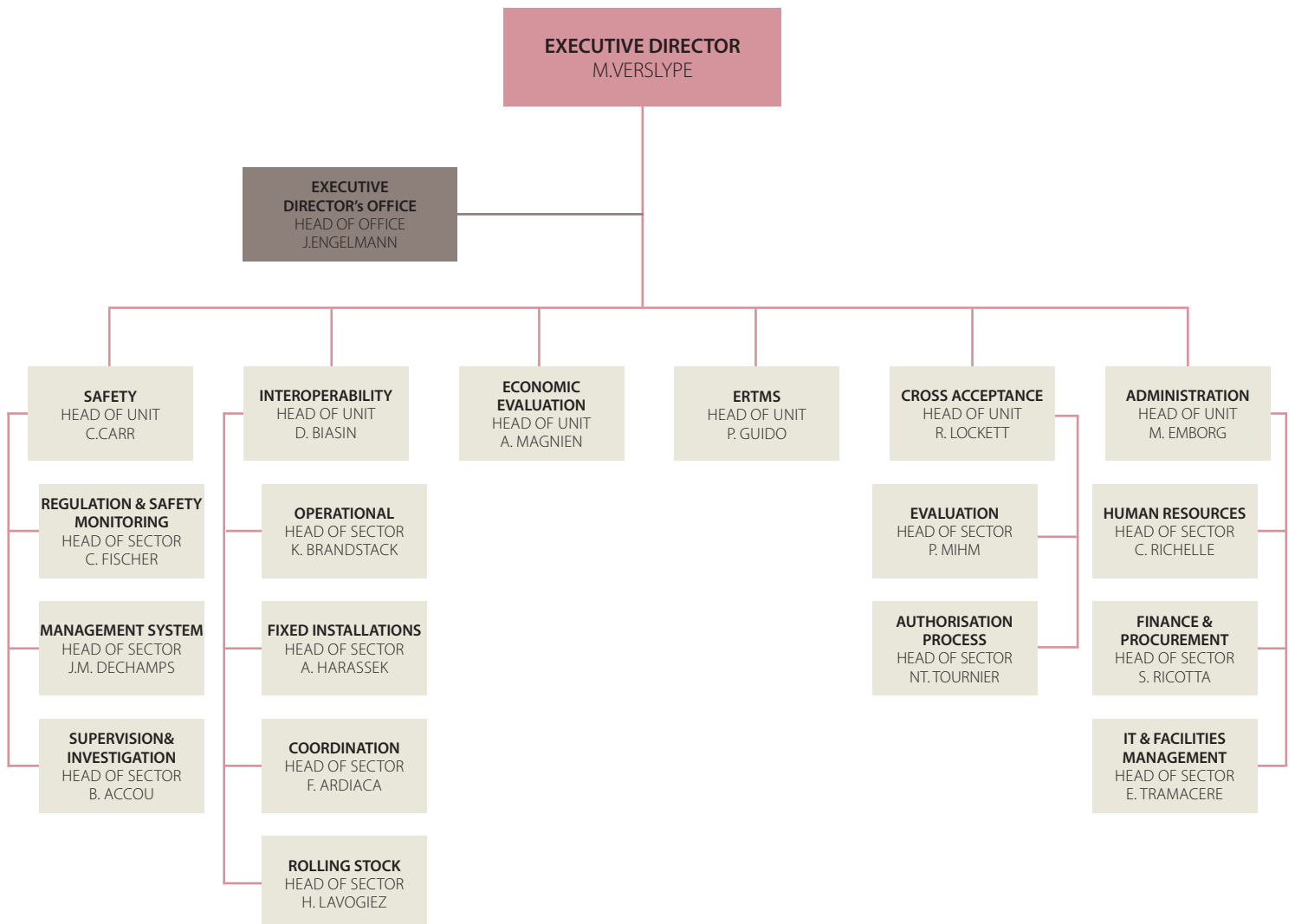
Budget out-turn

	2012	2011
Revenue		
Commission subsidy DG TREN	25 644 000.00	24 543 665.00
Phare funds from Commission	150 000.00	100 000.00
Fee income	5 000.00	5 000.00
Other revenue	115 423.71	72 883.40
Total revenue (a)	25 914 423.71	24 721 548.40
Expenditure		
Personnel expenses – Budget Title I		
Payments	15 706 124.98	15 710 948.01
Automatic carry-overs	185 829.80	219 715.92
Administrative expenses – Budget Title II		
Payments	1 884 860.15	1 721 678.71
Automatic carry-overs	290 927.15	562 912.60
Operational expenses – Budget Title III		
Payments	4 577 176.64	3 659 761.37
Automatic carry-overs	1 959 682.33	2 835 258.57
Total expenditure (b)	24 604 601.05	24 710 275.18
Out-turn for the financial year (a-b)	1 309 822.66	11 273.22
Cancellation of unused carry-overs	126 316.52	126 116.22
Exchange differences for the year	- 1 802.78	- 706.11
Balance carried over from year N-1	136 683.33	520 289.71
Positive balance from year N-1 reimbursed in year N to the Commission	- 136 683.33	- 520 289.71
Balance of the out-turn account for the financial year	1 434 336.40	136 683.33

Not included in the budget out-turn:

Interest received by 31/12/N on the Commission subsidy and to be reimbursed to the Commission	24 705.88	41 007.72
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Annex II Organisational chart

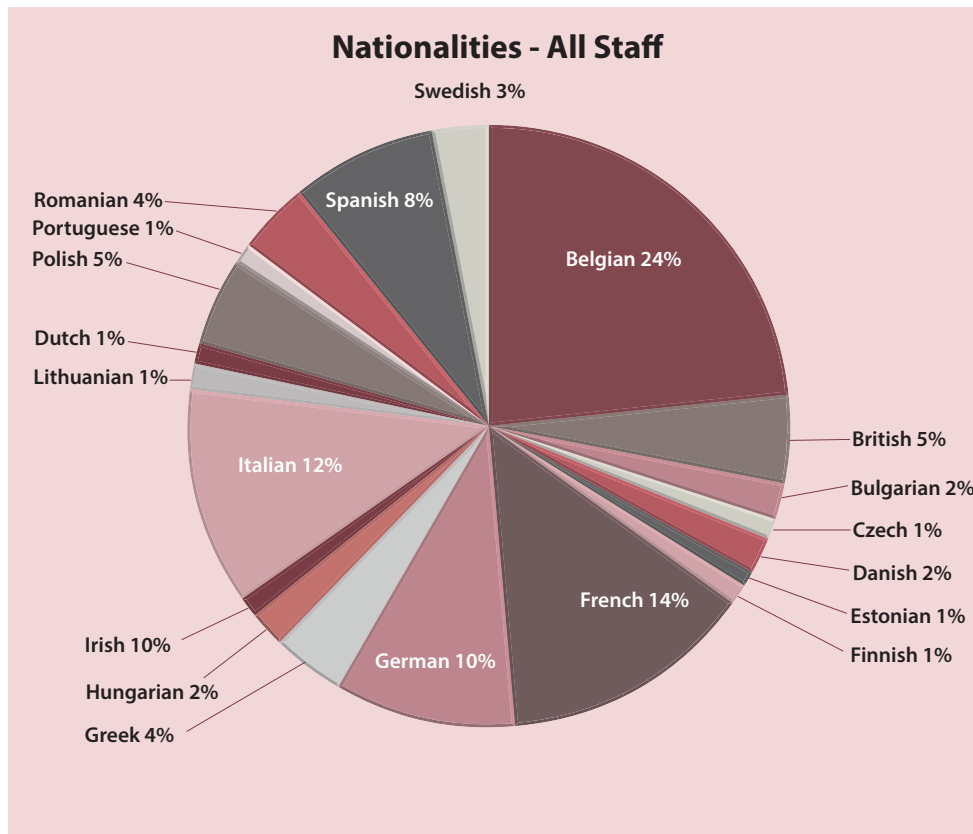


Annex III a Establishment plan

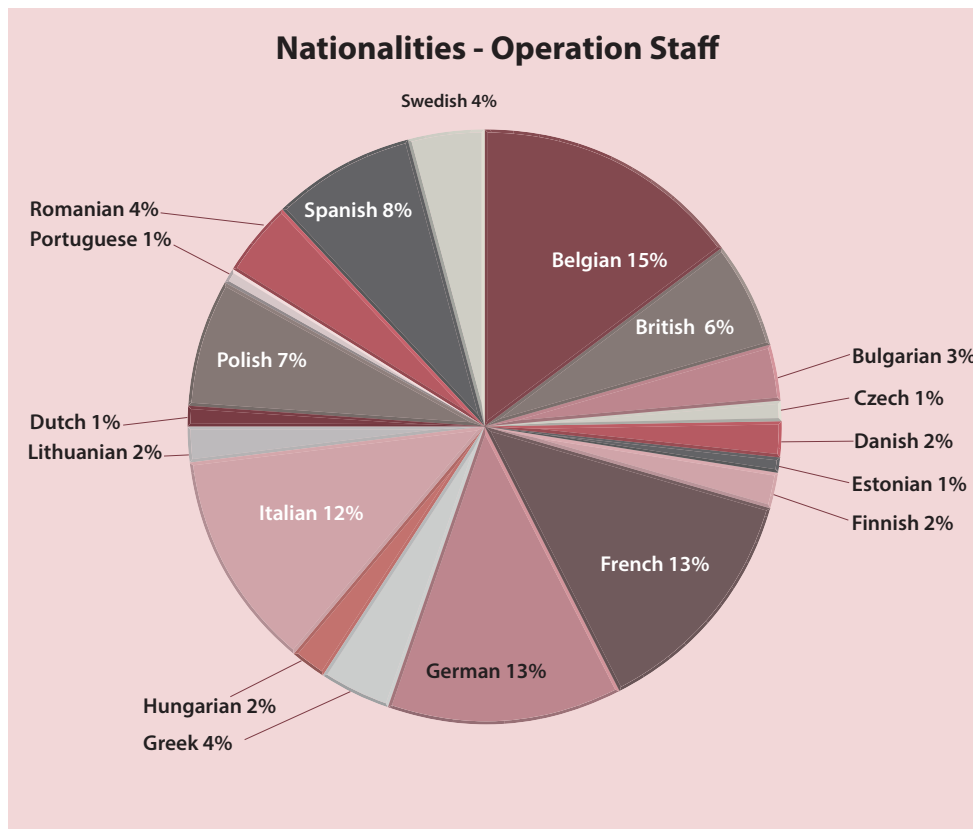
Category and Grade	Establishment Plan in Budget 2012		Real at 31/12/2012
	Officials	TA	TA
AD 16			
AD 15		1	
AD 14			1
AD 13			
AD 12			
AD 11		4	
AD 10		12	8
AD 9		27	26
AD 8		17	23
AD 7		11	1
AD 6		27	36
AD 5		2	2
Total AD	0	101	97
AST 11			
AST 10			
AST 9		1	
AST 8		2	2
AST 7		2	1
AST 6		2	3
AST 5		5	6
AST 4		6	4
AST 3		8	8
AST 2		10	11
AST 1		7	7
Total AST	0	43	42
TOTAL	0	144	139

Annex III b Staff composition

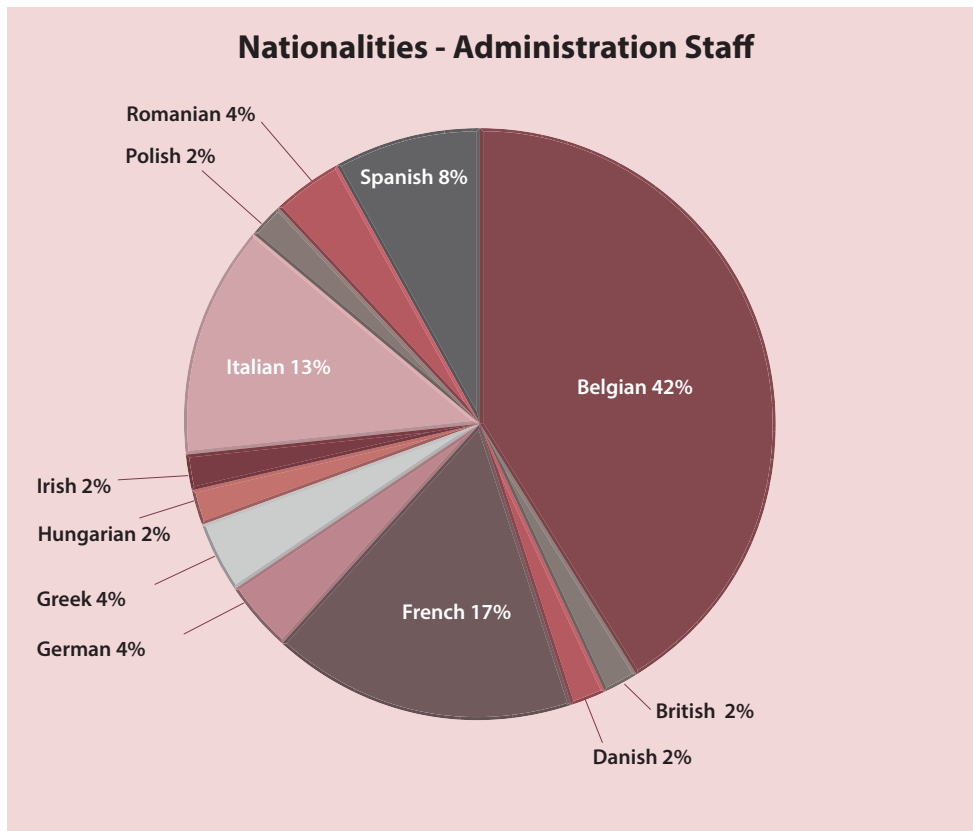
a. All Staff (20 nationalities)



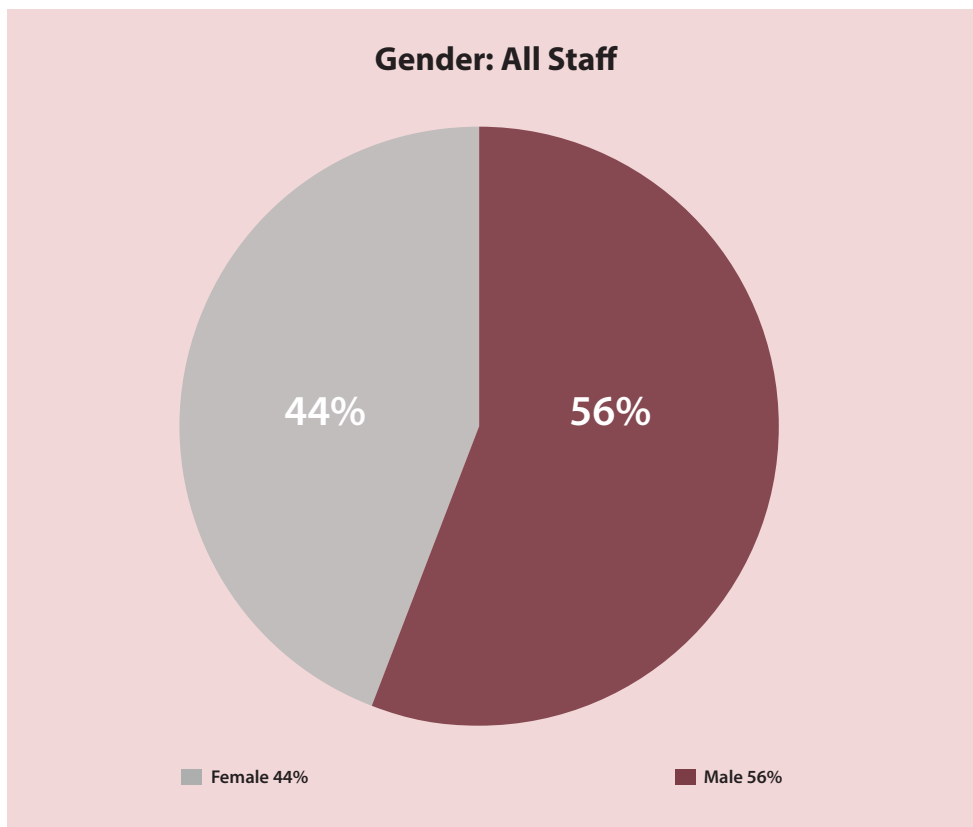
b. Operational staff (19 nationalities)



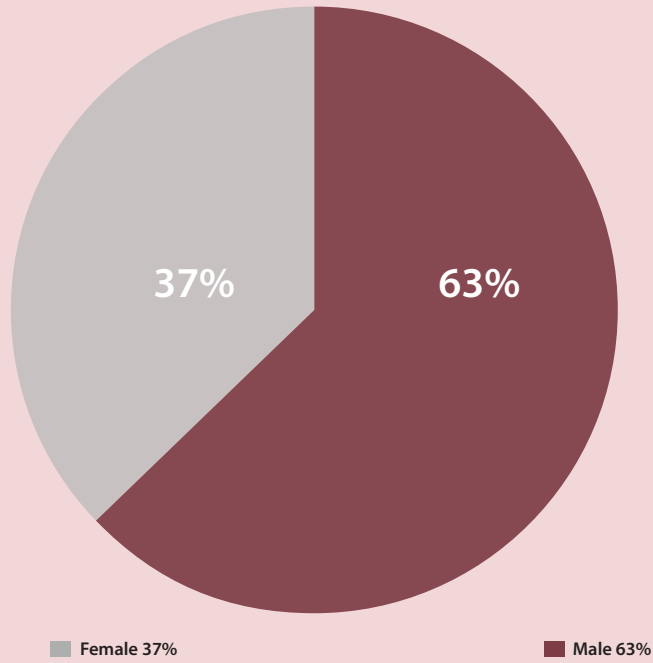
c. Administration staff (12 nationalities)



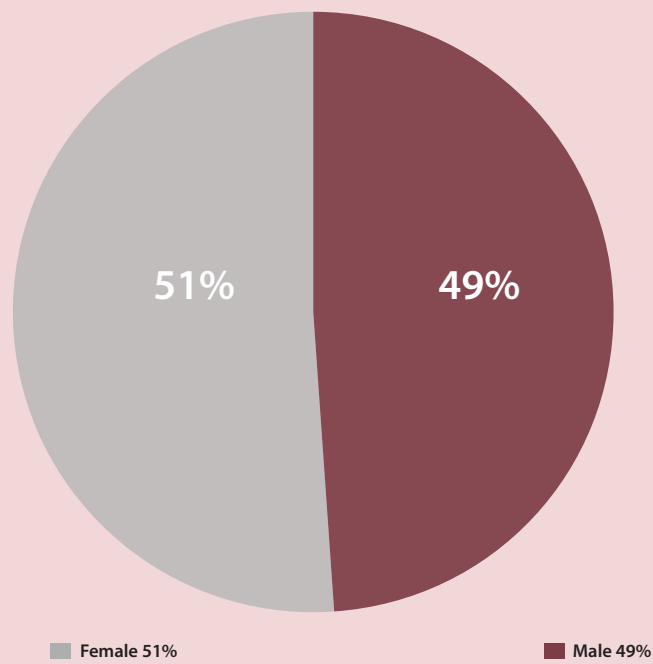
d. Gender Balance



Gender: Operation Staff



Gender: Administration



Annex IV Human and financial resources by activity

The following table shows the planned and used resources and the adopted budget for the 2012 Work Programme:

Activity	Unit Staff planned*	Unit Staff actual at 31/12	DIRECT COSTS		
	FTE	FTE	CHAP 30		
			ACTIVITIES	STUDIES	TRANSLATION INTERPRETING
Safety Management System	6,5	6	93 310,00	210 000,00	
Support to accident investigation bodies	5	5	102 127,50	0,00	
Safety certification & regulation (C&R)	16	16	409 035,00	240 000,00	
Monitoring of railway safety performance - processes and outcome	6,2	6,2	118 800,00	0,00	
Facilitation of vehicle authorisation	10,2	10	175 000,00	50 000,00	
ERTMS system authority	12,7	12,7	371 000,00	400 000,00	
Technical specifications	26,05	26,05	519 000,00	100 000,00	
Railway staff	2,75	2,75	84 000,00	0,00	
Shared databases and registers	9	7	55 000,00	0,00	
Monitoring Interoperability	2	2	10 000,00	0,00	
Promoting a common approach to safety and economic evaluation	7,7	7	168 037,50	400 000,00	
Support to operations	52,7	40,3	0,00	0,00	
Management	8,2	13	27 690,00	0,00	
Total	165	154	2 133 000	1 400 000	

* Due to budgetary constraints the foreseen number of Contractual Agents (CAs) could not be employed. Accordingly, the planned FTE number (165) has been reduced by six CAs to reach the final target of 159 FTE

** The gap between the reduced FTE number (159) and the staff employed at the end of 2012 (154) resulted from the open vacancies, where in most of the cases Temporary Agents were selected in 2012 but were in the process of taking up their posts in 2013

The individual impacts on the Agency's work programme are described in detail in the different activity/project chapters of the underlying report.

		INDIRECT COSTS		SUB - TOTAL	Distributed overhead	TOTAL
	BL3110	Chapter 31 - BL3110	Titles 1 & 2			
25 000,00	0,00	0,00	737 296,97	1 065 606,97	542 640,45	1 608 247,42
0,00	0,00	0,00	567 151,52	669 279,02	417 415,73	1 086 694,74
301 720,00	0,00	0,00	1 814 884,85	2 765 639,85	1 335 730,33	4 101 370,18
0,00	0,00	0,00	703 267,88	822 067,88	517 595,50	1 339 663,38
30 000,00	0,00	0,00	1 156 989,09	1 411 989,09	851 528,08	2 263 517,18
0,00	0,00	0,00	1 440 564,85	2 211 564,85	1 060 235,95	3 271 800,80
121 500,00	0,00	0,00	2 954 859,39	3 695 359,39	2 174 735,94	5 870 095,34
0,00	0,00	0,00	311 933,33	395 933,33	229 578,65	625 511,98
20 000,00	1 145 000,00	0,00	1 020 872,73	2 240 872,73	751 348,31	2 992 221,04
8500,00	0,00	0,00	226 860,61	245 360,61	166 966,29	412 326,90
143 280,00	0,00	0,00	873 413,33	1 584 730,83	642 820,22	2 227 551,05
0,00	1 115 000,00	540 000,00	5 977 776,97	7 632 776,97	-7 632 776,97	0,00
0,00	0,00	100 000,00	930 128,48	1 057 818,48	-1 057 818,48	0,00
650 000	2 260 000	640 000	18 716 000	25 799 000	0	25 799 000

Annex V a Composition of the Administrative Board 2009-2014*

I. MEMBER STATES

MEMBER STATE	MEMBER OF THE ADMINISTRATIVE BOARD	ALTERNATE
AUSTRIA	Mr Wolfgang CATHARIN	Mr Klaus GSTETTENBAUER
BELGIUM	Mr Joannes PEETERS	Ms Clio LIEGEOIS
BULGARIA	Mr Veselin VASILEV	Mrs Petya HRISTOVA
CYPRUS	Mr Nicos IACOVOU	Mrs Elpida EPAMINONDA
CZECH REPUBLIC	Mr Jindřich KUŠNÍR	Mr Kamil PRAVDÍK
DENMARK	Mr Jesper RASMUSSEN	Mr Hans Christian WOLTER
ESTONIA	Mr Raigo UUKKIVI	Mr Indrek LAINEVEER
FINLAND	Mr Yrjö MÄKELÄ	Mr Hannu PENNANEN
FRANCE	Mr Benoit CHEVALIER	Mrs Ainhoa SAN MARTIN
GERMANY	To be appointed	Mr Ralf SCHWEINSBERG
GREECE	Mr Triantafyllos PAPATRIANTAFYLLOU	Mr Konstantinos PITSAS
HUNGARY	Mr Gábor RÁCZ	Mr Daniel SCHÜTZENHOFFER
IRELAND	Mr Mary MOLLOY	Ms Caitriona KEENAHAN
ITALY	Mr Antonio PARENTE	Mr Giorgio MORANDI
LATVIA	Mr Jánis EIDUKS	Mr Andris DUNSKIS
LITHUANIA	Mr Robertas ŠERĖNAS	Mr Antanas DUBIKAITIS
LUXEMBOURG	Mr Jeannot POEKER	Mrs Myriam SCHAACK-RECKEN
MALTA	Mr Joseph TONG	Mr Fabian GALEA
NETHERLANDS	Mr Paul T. GELTON	Mr Hinne J.Y. GROOT
POLAND	To be appointed	Mr Piotr CUKIERSKI
PORTUGAL	Mr António CRISÓSTOMO TEIXEIRA	Mr José ARANHA ANTUNES
ROMANIA	Mr Claudiu DUMITRESCU	Mr Dinu DRĂGAN
SLOVAKIA	Mr Mikuláš SEDLÁK	Mr Miroslav DORCAK
SLOVENIA	Mr Ljubo ŽERAK	Mrs Breda KRIŽNAR
SPAIN	Mr Francisco Javier SÁNCHEZ AYALA	Mr Manuel SANTIAGO GONZÁLEZ
SWEDEN	Mr Mats ANDERSSON	Mr Carl SILFVERSWÄRD
UNITED KINGDOM	Mr Robin GROTH	Mr Christopher ANGELL
CROATIA (Observer)	Mr Vladimir HABUŠ	Mr Danijel KRAKIĆ

Status: 31.5.2013

II. EUROPEAN ECONOMIC AREA (EEA)*

MEMBER STATE	MEMBER OF THE ADMINISTRATION BOARD	ALTERNATE
NORWAY	Mr Erik Ø. JOHNSEN	Mr Øystein RAVIK

III. EUROPEAN COMMISSION*

MEMBERS		ALTERNATES	
FUNCTION/MEMBER OF THE ADMINISTRATIVE BOARD	NAME	FUNCTION	NAME
DIRECTOR-GENERAL		DEPUTY DIRECTOR-GENERAL	
DIRECTORATE-GENERAL FOR MOBILITY AND TRANSPORT	Mr Matthias RUETE	DIRECTORATE-GENERAL FOR MOBILITY AND TRANSPORT	Mr Fotis KARAMITSOS (acting)
DIRECTOR IN CHARGE OF INLAND TRANSPORT POLICY AND THE TRANS-EUROPEAN TRANSPORT NETWORK DIRECTORATE-GENERAL FOR MOBILITY AND TRANSPORT	Mr Jean-Eric PAQUET	DEPUTY HEAD OF UNIT IN CHARGE OF RAIL POLICY INCLUDING RELATIONS WITH THE EUROPEAN RAILWAY AGENCY DIRECTORATE-GENERAL FOR MOBILITY AND TRANSPORT	Mr Patrizio GRILLO
HEAD OF UNIT IN CHARGE OF RAIL POLICY INCLUDING EUROPEAN RAILWAY AGENCY DIRECTORATE-GENERAL FOR MOBILITY AND TRANSPORT	Ms Sian PROUT	ADMINISTRATOR IN CHARGE OF RELATIONS WITH THE EUROPEAN RAILWAY AGENCY DIRECTORATE-GENERAL FOR MOBILITY AND TRANSPORT	Mr Piotr RAPACZ
DIRECTOR SHARED RESOURCES DIRECTORATE DIRECTORATE-GENERAL FOR MOBILITY AND TRANSPORT	Mr Stefan TOSTMANN (acting)	HEAD OF UNIT IN CHARGE OF FINANCIAL RESOURCES, SHARED RESOURCES DIRECTORATE DIRECTORATE-GENERAL FOR MOBILITY AND TRANSPORT	Mr Stefan TOSTMANN

Status: 31.5.2013

IV. REPRESENTATIVES OF THE RAIL SECTOR*

	MEMBER	ALTERNATE
RAILWAY UNDERTAKINGS	Mr Jacques DAMAS	Mr Pierre TONON
INFRASTRUCTURE MANAGERS	Ms Monika HEIMING	Mr Michele MARIO ELIA
RAILWAY INDUSTRY	Mr Dan Anders OTTEBORN	Mr Bruno DAMBRINE
WORKER UNIONS	Mr Guy GREIVELDING	Ms Sabine TRIER
PASSENGERS	Mr Christopher IRWIN	Mr Rian van der BORGT
FREIGHT CUSTOMERS	Mr Martin BURKHARDT	Mr Heiner ROGGE

Status: 31.5.2013

Annex V b Composition of the Sub-Committee as of 20 March 2013

MEMBER OF THE SUB-COMMITTEE	
Member	Alternate
Chairman	Deputy-Chairman
Mr Christopher IRWIN, <i>railway sector, representative of passengers</i>	Mr Hinne GROOT, <i>representative of the Netherlands</i>
Representing the Member States	
Mr Mats ANDERSSON, <i>representative of Sweden</i>	Mr Robin GROTH, <i>representative of the United Kingdom</i>
Ms Clio LIEGEOIS, <i>representative of Belgium</i>	Ms Caitriona KEENAHAN, <i>representative of Ireland</i>
Mr Ralf SCHWEINSBERG, <i>representative of Germany</i>	Mr Gábor RÁCZ, <i>representative of Hungary</i>
Representing the European Commission	
Head of Unit 'Single European Rail Area', DG MOVE	Administrator in 'Single European Rail Area' unit, DG MOVE, in charge of the European Railway Agency
'Financial resources', Shared Resources Directorate, DG MOVE,	Administrator in 'Financial resources' unit, DG MOVE, in charge of the agencies
Representing the Railway Sector	
Mr Dan OTTEBORN, <i>railway sector, representative Railway Industry</i>	Mr Pierre TONON, <i>railway sector, representative, Railway Undertakings</i>

Status: 31.5.2013

Annex V c Composition of the Reflection Group 2011-2012*

MEMBER OF THE REFLECTION GROUP	
GERMANY	Mr Ralf SCHWEINSBERG
SWEDEN	Mr Mats ANDERSSON
NETHERLANDS	Mr Hinne GROOT
FRANCE	Ms Ainhoa SAN MARTIN
UNITED KINGDOM	Mr Chris CARR
EUROPEAN COMMISSION	Directorate-General Mobility and Transport Rail Transport and interoperability Unit
	Mr Patrizio GRILLO Mr Piotr RAPACZ
RAIL SECTORS	
PASSENGERS	Mr Christopher IRWIN (Chair)
RAILWAY UNDERTAKINGS	Mr Jacques DAMAS

* Status: from November 2011 to September 2012

Glossary

AAR	Annual Activity Report
ABAC	The web-based accounting system developed for the Directorate-General for the Budget
AWP	Annual Work Programme
CAF	Common Assessment Framework
COTIF	Convention Relative aux Transports Internationaux Ferroviaires
CR TSI	Conventional Rail, Technical Specification for Interoperability
CSIs	Common Safety Indicators
CSMs	Common Safety Methods
CSTs	Common Safety Targets
DMI	Driver Machine Interface
DNV	Det Norske Veritas
DREAM	Database for Railway Economic Analysis Management
EC	European Commission
ECM	Entity in Charge of Maintenance
ECVVR	European Centralised Virtual Vehicle Register
EMC	Electromagnetic compatibility
ERA	European Railway Agency
ERADIS	ERA Database on Interoperability and Safety
ERATV	European Register of Authorised Types of Vehicles
ERTMS	European Rail Traffic Management System
ESO	European Standardisation Organisation
ETCR	European Training Centre for Railways
ETCS	European Train Control System
EU	European Union
Eurostat	The statistical office of the European Union
GSMR	Global System for Mobile Communications (Railway)
HR	Human Resources
ICS	Internal Control Standards
IM	Infrastructure Manager
IT	Information Technology
JPCR	Joint Programming Committee Rail (for EN Standards)
MoU	Memorandum of Understanding
MSs	Member States
NIB	National Investigation Body
NNTR	Notified National Technical Rule
NB(s)	Notified Body(ies)

NB(-)Rail	Coordination group of Notified Bodies (Rail)
NRVs	National Reference Values
NSAs	National Safety Authorities
NVR	National Vehicle Register
OSJD	Organisation for Cooperation of Railways
OTIF	Organisation for International Carriage by Rail
RAC	Risk Acceptance Criteria
RID	Règlement concernant le transport internationale ferroviaire des marchandises dangereuses
RISC	Railway Interoperability and Safety Committee (formerly known as the 'Article 21' committee)
RU	Railway Undertaking
SMS	Safety Management System
SNCF	Société Nationale des Chemins de Fer français
SRS	System Requirements Specification
TEN-T	Trans-European Transport Network
TSI	Technical Specifications for Interoperability
TSI CCS	Technical Specifications for Interoperability Control Command Signalling
UIC	International Union of Railways
VVR	Virtual Vehicle Register
WG	Working Group
WP	Working Party

European Railway Agency

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