



National Investigation Body (NIB) Network

Annual Report for 2020
and
Common Peer Review Programme
Version 1.0

DOCUMENT CHANGE RECORD

The following table records the complete history of this document.

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1 BACKGROUND

This Annual Report and Common Review Programme is published by the National Investigation Bodies (NIB) to meet the requirements of Article 22.7 of the European Directive on Rail Safety dated 11 May 2016 (EU 2016/798). The Article states:

The investigating bodies, with the support of the Agency in accordance with Article 38(2) of Regulation (EU) 2016/796, shall establish a programme of peer reviews where all investigating bodies are encouraged to participate so as to monitor their effectiveness and independence.

The investigating bodies, with the support of the secretariat referred to in Article 38(2) of Regulation (EU) 2016/796, shall publish:

(a) the common peer-review programme and the review criteria; and

(b) an annual report on the programme, highlighting identified strengths and suggestions for improvements.

The peer review reports shall be provided to all investigating bodies and to the Agency. Those reports shall be published on a voluntary basis.

The Peer Review seeks to monitor the effectiveness and independence of a NIB by considering its organization, processes and outputs (eg accident reports, safety recommendations, annual reports). The Peer Review process also seeks to assist development of all NIBs by sharing with them strengths and suggestions for improvements identified during reviews.

The NIBs have appointed a Peer Review Task Force to manage and undertake the reviews. This Task Force comprises representatives from a range of NIBs. The peer review of each state is undertaken by a Panel selected from the Task Force. The output of each review is based on information provided by the NIB being reviewed. This information is provided in a questionnaire and during a visit to the reviewed NIB by the Panel. Details of the questionnaire and the review criteria are given in the NIB Peer Review Handbook for the year in which the review was carried out. This can be found at [\[link to NIB website when available\]](#).

The Peer Review relies on answers provided by the NIB in the questionnaire and during the site visit. The Peer Review process is not intended to fully investigate all issues covered by the questionnaire and does not address all issues in the documents used as review criteria. It is targeted at issues where the reviewers believe there will be greatest value to the NIB being reviewed and to other NIBs. Peer Review is a cooperative process involving trust between the parties. Peer reviewers will seek justifications for statements made but, unlike an auditor, will not seek evidence to check the truth of statements.

The relevant Peer Review Panel has prepared a peer review report for each reviewed NIB. The Directive requires that these are published on a voluntary basis and this is done by the reviewed NIB if it wishes to do so, other NIBs and the Agency are not permitted to provide copies of the reports relating to individual NIBs. Any requests for a copy of a peer review report should therefore be addressed to the NIB which was reviewed.

This 2020 peer review annual report covers peer reviews planned for 2020 and is the second to be submitted to the Agency by the NIB Network.

This report does not include information relating to peer reviews of countries included in the Instrument for Pre-Accession Assistance (IPA) programme. A meeting with IPA countries was undertaken and a review of one IPA country's accident investigation body is being undertaken by members of the NIB peer review task force in response to a request from the Agency, but did not form part of the NIB peer review programme.

2 NIB AND STATE DETAILS

NIBs planned				
State	NIB Name	NIB Type	Date of visit by Peer Review Panel	Number of rail mode investigators (full time equivalent)
Croatia	Agencija za istraživanje nesreća u zračnom, pomorskom i željezničkom prometu (AIN)	Multi-modal (air,rail, marine)	Planned November	
Hungary	Innovációs és Technológiai Minisztérium	Multi-modal (air, rail, marine)	Planned November	
Sweden	Statens haverikommission	Multi-modal (air, rail, marine, road, military other)	Planned November	

3 PARTICIPATING ORGANISATIONS

Investigators from the following organisations volunteered to join Peer Review teams in 2020:

Romania, Hungary, Norway, Ireland, Portugal, Finland, Sweden and Poland.

4 PEER REVIEW FINDINGS

Due to the Covid-19 pandemic status and the health authorities' recommendations, travel restrictions etc., the 2020 Peer Review Programme was cancelled. The programme was postponed to 2021.

The decision to cancel the 2020 programme was taken by the Management Committee (MC) on the 3rd of August 2020.

The NIB Croatia, NIB Hungary, NIB Sweden along with the Peer Review team members and the Agency representatives were informed about the cancellation on the 10th of August 2020.

5 PEER REVIEW COSTS

Directive (EU) 2016/798 states that participation in the peer review programme is voluntary so there is no direct requirement for national governments to meet panel members' costs. Article 35 of the Regulation (EU) 2016/796 indicates that the Agency expects to receive information from an effective peer review programme.

6 AREAS OF ON-GOING CONCERN

The funding situation (section 5) means that the peer review process may not fully achieve the railway safety improvements available from a fully effective review process as intended in the Railway Safety Directive. The NIB Network therefore encourages the EU Commission and the Agency to provide a means for NIBs to recover peer review panel members' costs from the Agency or from another source.

In 2020 the MC has been in contact with the EU Commission and the Agency to provide means to fund the 2021 Peer Review Programme. The NIB Network confirms that it is willing to work with both parties to achieve this.

7 COMMON PEER REVIEW PROGRAMME

The programme below is published to comply with Paragraph 22(7)(a) of the Directive (EU) 2016/798.

Year	NIBs	Status
2021	Sweden, Hungary and Croatia	Confirmed
2022	Portugal, Germany, Ireland	Programme under review
2023	Belgium, Spain, Finland	Programme under review

8 CONCLUSION

Unfortunately, due to the Covid-19 pandemic the 2020 Peer Review Programme is postponed until 2021.

The MC would like to thank NIB Croatia, NIB Hungary and NIB Sweden for volunteering to be reviewed in 2020.

The MC also likes to thank the NIBs contributing to the Peer Review teams.