

Istanbul 9 -10 June 2009



Jean-Pierre Lehman
UIC general Counsel



(Istanbul– June 2009)

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Istanbul 9 -10 June 2009

**Rail Transport between Europe
and Asia
(Istanbul 9 and 10 June 2009)**



(Istanbul– June 2009)

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UIC Mission



Promoting the development of rail transport
at world level,
in order to meet challenges
of mobility and sustainable development

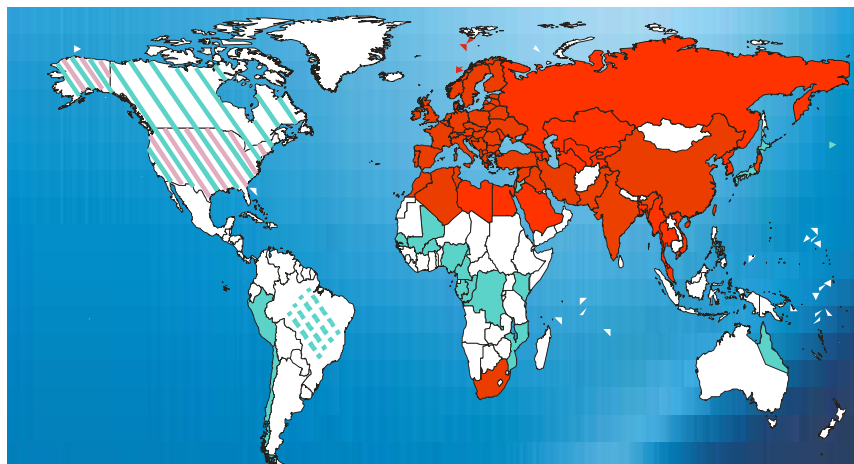


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The UIC Expansion: Continuous Expansion

UIC in 2009



Members ■ Active ■ Associate ■ Affiliate



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UIC: the International Union of Railways

- 201 members on all 5 continents
- The members are:
 - Railways
 - Rail operators
 - Infrastructure managers
 - Railway service providers
 - Public transport companies



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global



professional



Creates added value for members by improving railway operations and services



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UIC in 2008: 201 Members on all 5 Continents

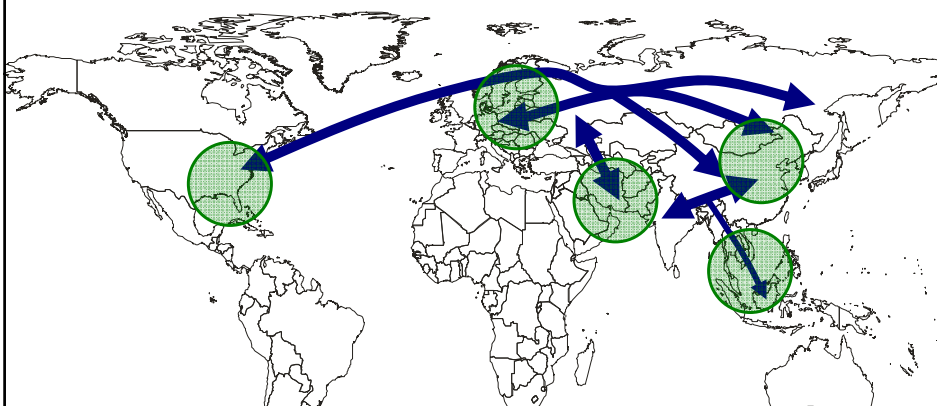
- **82 active members:** *railways, railway infrastructure managers, railway operators, from Europe, Russia, the Maghreb, the Middle East, Kazakhstan, India, Pakistan, Japan, China, Korea, South Africa*
- **83 associate members:** *including railways in Asia, Africa, America, Australia*
- **36 affiliate members:** *companies conducting activities connected with rail transport public transport, sleeping cars, caterers, other railway bodies, ...*



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Existing and Potential Corridors

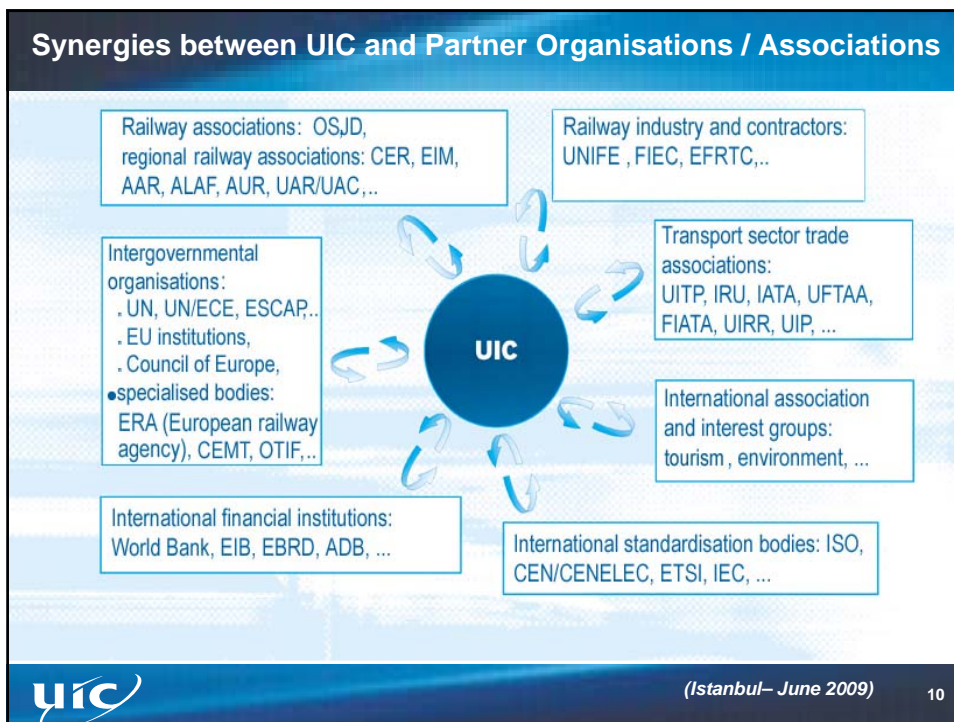


- Develop a few main corridors to capture growing international trade
- Stronger focus on intermodality and cooperation with shipping lines
- Use UIC as a platform for development



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OTIF / OSJD / UIC

Agreements and contracts for
cross-border **use of wagons** in the
OTIF and ECO Member States
respectively (CUV, GCU, PGV)



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OTIF / OSJD / UIC : the state of the art

use of wagons



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OTIF

COTIF



Convention concerning international carriage by rail

The principal aim of the Organization is to establish a **uniform system of law** applicable to the **carriage** of passengers **and goods** in international through **traffic by rail** between Member States, and to facilitate the application and development of this system. This legal system may, in addition to rail transport, also be applied to international through traffic by road, maritime transport and on inland waterways.



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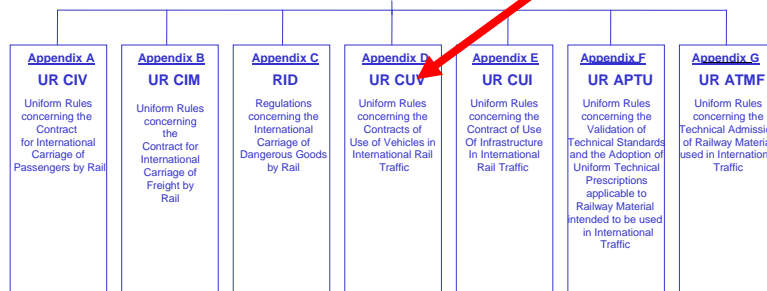
COTIF: Use of wagons



COTIF 1999

COTIF
Convention concerning
International Carriage by Rail

Protocol on the Privileges and
Immunities of OTIF



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Significant Alterations 1980/1999

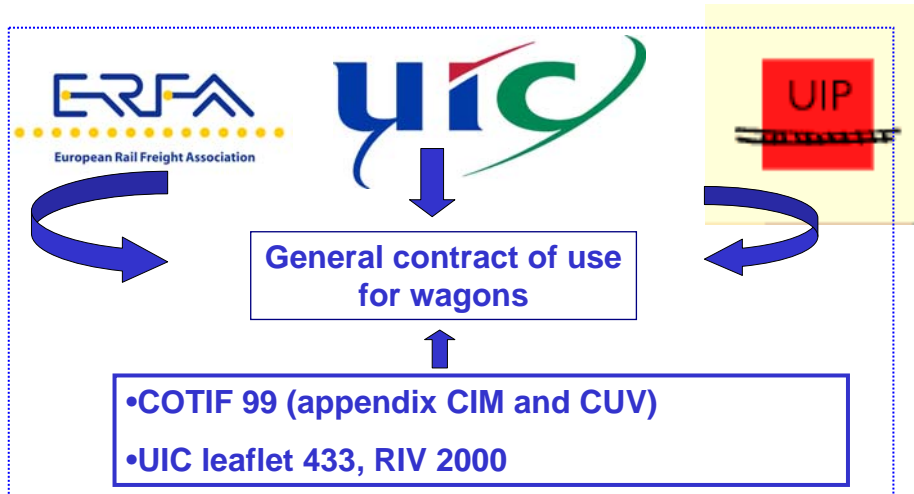
1. Abolition of **line registration**
2. Abolition of **obligation to carry**
3. New **transport models**
4. New requirements for travel **documents and consignment notes**
5. More stringent rules concerning **liability**
6. **Approval and registration** of the vehicles

UR CUV

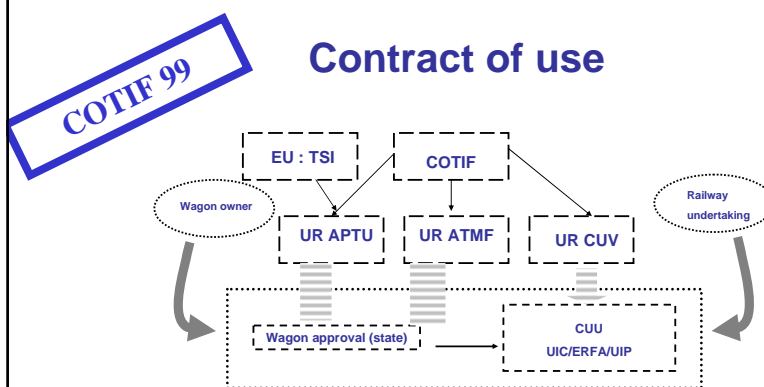


- **Signs and inscriptions on the vehicles** ([article 3](#))
- **Liability in case of loss of or damage to a vehicle** ([article 4](#))
- **Loss of right to invoke the limits of liability** ([article 5](#))
- **Presumption of loss of a vehicle** ([article 6](#))
- **Liability for loss or damage caused by a vehicle** ([article 7](#))
- **Subrogation** ([article 8](#))
- **Liability for servants and other persons** ([article 9](#))

Standard usage contract



General contract of use for wagons



Enter into force : 1 July 2006

Appendix F and Appendix G

The technical appendices : details

COTIF 99

APTU (Appendix F) : « **General rules concerning the validation of technical standards and the adoption of technical prescriptions applicable to rolling stock for use in international traffic** »

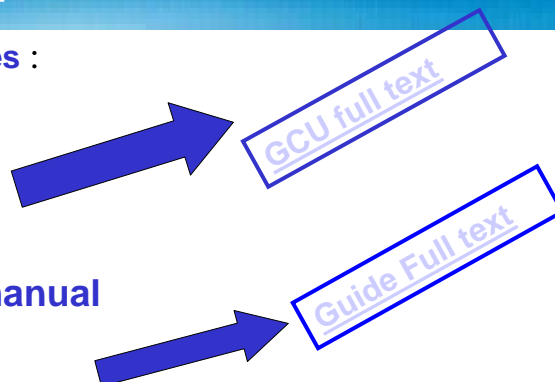
ATMF (Appendix G) : « **General rules concerning the technical admission of rolling stock used in international traffic** »



	System based on COTIF 80	System based on new COTIF
CIV, CIM contact of carriage	Appendix A et B of the Convention	Appendix A et B of the Convention
RIP	Annex II of the Appendix B	n/a
UR CUV	n/a	Appendix D of the COTIF
Approval vehicles	<ul style="list-style-type: none"> Article 2 of the RIP Article 3.1.1 of the leaflet 433 	<ul style="list-style-type: none"> Appendix F (APTU) and G (ATMF) of the COTIF TSI of the EU
Registration of vehicles	Article 2 of the RIP : CIM railways.	<ul style="list-style-type: none"> regulation (CE) 881/2004 (national register) OTIF project register
Contract of use	RIV 2000	General Contract of use

General presentation :GCU

- The full text includes :
 - 1 preamble
 - 8 chapters
 - **35 articles**
 - **12 appendices**
- An application manual

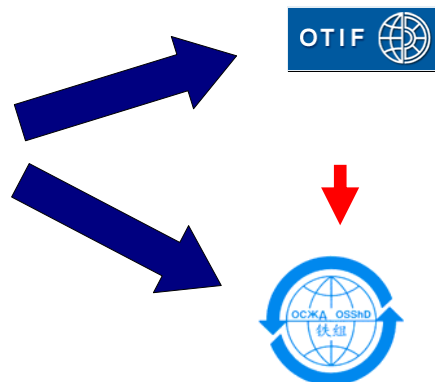


A guide to the practical application (RU only)

- at **01/01/09** : 609 signatories 712.201 wagons

OTIF / OSJD / UIC : the state of the art

use of wagons



OSJD



OSJD



- **Appendix B** to the Agreement on the PGV :
- Valid from January 1st, 2009 :
- **14** railways members

RULES OF USE OF FREIGHT STOCK IN INTERNATIONAL TRAFFIC (PGV)

FREIGHT CARS



- **Specifications** for the cars admitted for circulation ([article 2](#))
- **Transfer of cars** ([article 3](#))
- **Rules of use of cars** ([article 4](#))
- Cars running **maintenance** and repairs. **Damaged** cars, badly damaged cars or bogies. ([article 6](#))
- **Lost rail cars refund** ([article 7](#))
- **Payments for rail cars use** ([article 8](#))

PRIVATE FREIGHT CARS

- **Private freight cars** ([article 9](#))
- **Exchange of private cars** ([article 10](#))
- **Private car maintenance Liability** ([article 11](#))



CARGO TRANSPORTERS AND PALLETS

- **Transportation facilities** ([article12](#))
- **Cargo transporters** ([article13](#))
- **Pallets** ([article14](#))




use of wagons




OTIF / OSJD : a comparaison



	OTIF : UR CUV UIC: GCU	0SJD : PGV
Signs and inscriptions on the vehicles Transfer of cars Payments for rail car use	X (article 3) CUV X (article 8) GCU NO	X (article 2) X (article 3) X (article 4) X (article 8)
Liability in case of loss of or damage to a vehicle	X (article 4) CUV X (Chapter 3.3) GCU	X (article 7) X (article 6)
Loss of right to invoke the limits of liability	X (article 5) CUV X (chapter 5) GCU	X (article 7)
Presumption of loss of a vehicle	X (article 6) CUV X (chapter 5) GCU	X (article 7) X (article 7)
Liability for loss or damage caused by a vehicle	X (article 7) CUV X (article 27) GCU	NO
Subrogation	X (article 8) CUV	NO

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	OTIF : UR CUV	0SJD : PGV
Liability for servants and other persons	X (article 9) CUV	NO
Private freight cars	NO	X (article 9)
Exchange of private cars	NO	X (article 10)
Private car maintenance Liability	NO	X (article 11)
Transportation facilities	NO	X (article 12)
Cargo transporters	NO	X (article 13)
Pallets	NO	X (article 14)

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Thank you for your listening!



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