

OTIF



**ORGANISATION INTERGOUVERNEMENTALE POUR
LESTRANSPORTSINTERNATIONAUXFERROVIAIRES**

**ZWISCHENSTAATLICHE ORGANISATION FÜR DEN
INTERNATIONALEN EISENBAHNVERKEHR**

**INTERGOVERNMENTAL ORGANISATION FOR
INTERNATIONAL CARRIAGE BY RAIL**

**Office central
Zentralamt
Central Office**

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**Central Office Report on the Revision of the Convention concerning
International Carriage by Rail (COTIF) of 9 May 1980 and Explanatory
Reports on the texts adopted by the Fifth General Assembly**

**The following text which was made available by the Department of Environment, Transport &
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Foreword

The last in-depth revision of the International Convention concerning the Carriage of Passengers and Luggage by Rail (CIV) and the International Convention concerning the Carriage of Goods by Rail (CIM) goes back almost twenty years. This revision was completed at the end of the Eighth Revision Conference (Bern, 30.4 – 9.5.1980) with the signing, on 9 May 1980, of the new Convention concerning International Carriage by Rail (COTIF).

In the years which have passed between May 1980 and the closing of the OTIF (Intergovernmental Organisation for International Carriage by Rail) Fifth General Assembly in early June 1999, the railway world has undergone profound changes in the majority of the 39 Member States of OTIF. Even in 1995, the political, economic, legal and technical conditions governing international rail traffic were no longer the same as in 1980. These changes have raised the question of whether international railway law, as codified in COTIF 1980, was still adequate for these new situations and if it was able to offer satisfactory solutions in terms of answering new questions and resolving new problems, particularly those of a legal nature.

The Central Office, which considers itself to be a kind of engine for development and legal harmonisation at international level in railway matters, responded in the negative to this question and has demonstrated that there was a great need to adapt and devise regulations in those legal areas which are of importance for international rail transport. In spite of the scepticism and the reluctance expressed by some Member States, the railways, their associations and other international organisations, the Central Office is pleased to have succeeded in presenting, with its draft amendments, presented between 1995 and 1997, of COTIF 1980 itself, of the existing CIV, CIM and RID (Regulation concerning the International Carriage of Dangerous Goods by Rail) regulations, and with its draft new Appendices to COTIF (CUV - Uniform Rules concerning Contracts of Use of Vehicles in International Rail Traffic, CUI - Uniform Rules concerning Contracts of Use of Infrastructure in International Rail Traffic, APTU - Uniform Rules concerning the Validation of Technical Standards and the Adoption of Uniform Technical Prescriptions Applicable to Railway Material Intended to be used in International Traffic and ATMF - Uniform Rules concerning Technical Admission of Railway Material used in International Traffic), a complete legal system which is acceptable to all the parties concerned, at least in its fundamental elements, if not in every detail.

Achieving this necessitated a great deal of work in terms of persuasion, eliminating numerous misunderstandings and overcoming problems of comprehension. It required the preparation of 25 sessions, with either government representatives or experts, for a total period of 100 days, and recording the results (compilation of documents, translations, editing work, reports). The mass of documents, and the examination and processing of those documents, involved a work-load that was greater than that of previous years, and this not only at the Central Office.

The fact that the revision work, which took approximately four years, was successfully completed with the signing of the Vilnius Protocol upon the closing of the Fifth General Assembly on 3 June 1999, is due not only to the Central Office and its staff members, who are very few in number, but also to the constructive attitude of the representatives of the Member States and of the involved international organisations and associations which developed in the course of the deliberations.

The Central Office would consider itself satisfied if the work done yielded long-lasting results. It again expresses its expectation that:

- the new legal system as a whole will contribute substantially to reinforcing the competitiveness of the railways in the highly competitive international transport markets
- the parties specifically affected by this new legal system, i.e. transport companies, goods carriers, passengers and administrations, will consider these new regulations to be fair and practicable
- that there will be no fundamental need for substantial amendment within the next ten to fifteen years.

Finally, the Central Office hopes that all those who participated in the revision work will be able to say that it was worth the effort!

The Central Office, in its capacity as Secretariat of OTIF, would thus be able to devote itself more intensively to new areas of activity in which a need for standardisation at international level is becoming apparent. Such activity would not be for the Central Office's own ends or for reasons of self-affirmation, but solely in the interest of all those who believe in the future of the railways and who still rely on this mode of transport.

The managers of the Central Office would like to use the occasion of this report to express personally their sincere thanks to the members of staff of the Central Office, the Chairmen of the various sessions of the Revision Committee and the General Assemblies, the delegates of the Member States and of the international organisations and associations and to the experts who advised the Central Office, for their commitment, their understanding, their constructive contributions and their perseverance.

Bern, September 1999

Central Office
for International Carriage by Rail
Director General

(M. Burgmann)

List of acronyms and abbreviations

ADN	European Agreement concerning the International Carriage of Dangerous Goods by Inland Waterway (1997 Draft)
ADNR	Regulation for the Carriage of Dangerous Substances on the Rhine, 1 January 1972
ADR	European Agreement concerning the International Carriage of Dangerous Goods by Road, 30 September 1957
AGC	European Agreement on Main International Railway Lines, 31 May 1985
AGCT	European agreement on Important International Combined Transport Lines and Related Installations, 1 February 1991
AIEP	International Association of Users of Private Sidings
AIM	Agreement on the International Carriage of Goods by Rail, 1 July 1907, in the version of 1 May 1985
AIV	Agreement on the International Carriage of Passengers and Luggage by Rail, 1 October 1928, in the version of 1 May 1985
APTU	Uniform Rules concerning the Validation of Technical Standards and the Adoption of Uniform Technical Prescriptions applicable to Railway Material intended to be used in International Traffic (Appendix F to COTIF)
Art.	Article
ATMF	Uniform Rules concerning the Technical Admission of Railway Material used in International Traffic (Appendix G to COTIF)
ATV	Uniform Rules concerning the Technical admission of Railway Vehicles (Draft Appendix to COTIF)
BCC	Central Compensation Bureau
BIC	International Containers Bureau
Brussels Convention	International Convention for the Unification of Certain Rules of Law relating to Bills of Lading, 25 August 1924
Bulletin	Bulletin for International Carriage by Rail
CCNR	Central Commission for Rhine Navigation
CEN	European Committee for Standardisation
CENELEC	European Committee for Electrotechnical Standardisation

CER	Community of European Railways
Chicago Convention	Convention on Civil Aviation, 7 December 1944
CIM 1890	International Convention concerning the Carriage of Goods by Rail, 14 October 1890
CIM Ö 1980	International Convention concerning the Carriage of Goods by Rail, 7 February 1970
CIM 1980	Uniform Rules concerning the Contract for International Carriage of Goods by Rail, 9 May 1980
CIM	Uniform Rules concerning the Contract for International Carriage of Goods by Rail (Appendix B to COTIF)
CIT	International Rail Transport Committee
CIV Ö 1980	International Convention concerning the Carriage of Passengers and Luggage by Rail, 7 February 1970
CIV 1980	Uniform Rules concerning Contract for International Carriage of Passengers and Luggage by Rail, 9 May 1980
CIV	Uniform Rules concerning Contract of International Carriage of Passengers by Rail (Appendix A to COTIF)
CMR	Convention on the Contract for the International Carriage of Goods by Road, 19 May 1956
COTIF 1980	Convention concerning International Carriage by Rail (COTIF), 9 May 1980
COTIF	Convention concerning International Carriage by Rail (COTIF) of 9 May 1980, in the version of the Amendment Protocol of 3 June 1999
CUI	Uniform Rules concerning the Contract of Use of Infrastructure in International Rail Traffic (Appendix E to COTIF)
CUV	Uniform Rules concerning Contracts of Use of Vehicles in International Rail Traffic (Appendix D to COTIF)
CVR	Convention on the Contract for the International Carriage of Passengers by Road, 1 March 1973
EC	European Community
ECJ	Court of Justice of the European Community
ECMT	European Conference of Ministers of Transport
EEA	European Economic Area
EEC	European Economic Community
EFTA	European Free Trade Association
EIM	European Infrastructure Management Organisation
ERRI	European Rail Research Institute
ETSI	European Telecommunications Standardisation Institute
EURO-CONTROL	European Organisation for Air Navigation Safety
FIATA	International Federation of Freight Forwarders Associations

Hamburg Rules	United Nations Convention on the Carriage of Goods by Sea (Hamburg Rules), 31 March 1978
Hague-Visby Rules	Convention for the Unification of Certain Rules of Law relating to Bills of Lading of 25 August 1924 (Brussels Convention), amended by the Protocol of 23 February 1968
IAEA	International Atomic Energy Agency
IATA	International Air Transport Association
ICAO	International Civil Aviation Organisation
IMDG Code	International Maritime Dangerous Goods Code
IMO	International Maritime Organisation
IRU	International Road Transport Union
IVT	International Association of Tariff Specialists
OSJD	Organisation for Railways Co-operation
OTIF	Intergovernmental Organisation for International Carriage by Rail
Parag.	Paragraph
RIC	Regulation for the Reciprocal Use of Carriages and Brake Vans in International Traffic, 1 January 1922
RICo	Regulations concerning the International Carriage of Containers by Rail (Annex III of Appendix B to COTIF 1980)
RID 1980	Regulations concerning the International Carriage of Dangerous Goods by Rail (Annex I of Appendix B to COTIF 1980)
RID	Regulation concerning the International Carriage of Dangerous Goods by Rail (Appendix C to COTIF 1980)
RIEx	Regulations concerning the International Carriage of Express Parcels by Rail (Annex IV of Appendix B to COTIF 1980)

RIP	Regulations concerning the International Haulage of Private Owners' Wagons by Rail (Annex II of Appendix B to COTIF 1980)
RIV	Regulation on the Reciprocal Use of Wagons in International Traffic, 1 January 1922
RTD	International Customs' Transit System for Goods Transported by Railway (Draft Appendix to COTIF)
SDR	Special Drawing Right(s)
SMGS	Convention concerning International Goods Traffic by Railway, 1 November 1951
SMPS	Convention concerning International Passenger Traffic by Railway, 1 November 1951
SOLAS Convention	International Convention for the Safety of Human Life at Sea, 1 November 1974
UIC	International Union of Railways
UIP	International Union of Private Wagons
UIPT	International Union of Public Transport
UIRR	International Union of Combined Rail and Road Transport Companies
UIV	Uniform Rules concerning Contracts of Reciprocal Use and the Registration of Vehicles (Draft Appendix to COTIF)
UNECE	United Nations Economic Commission for Europe
UNIFE	Union of European Railway Industries
UNO	United Nations Organisation
UR	Uniform Rules
UT	International Convention on the Technical Unity of Railways, 1882/1938
Warsaw Convention	Convention of 12 October 1929 for the Unification of Certain Rules relating to International Carriage by Air