



Organisation intergouvernementale pour les transports internationaux ferroviaires  
Zwischenstaatliche Organisation für den internationalen Eisenbahnverkehr  
Intergovernmental Organisation for International Carriage by Rail

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**Groupe de travail «Modification de la  
procédure de révision de la COTIF »  
Arbeitsgruppe „Änderung  
Revisionsverfahren COTIF“  
Working group to amend the  
procedure for revising COTIF**

**LAW-17052-WGREVCOTIF 3-04  
Meeting room document**

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## **WORKING GROUP TO AMEND THE PROCEDURE FOR REVISING COTIF**

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Feasibility of amending the procedure for revising COTIF

Comments from Sweden



**Government Offices of Sweden**

24 April 2017  
N2017/00681/MRT

The Secretary General of OTIF

**Ministry of Enterprise and Innovation**  
Department for Housing and Transport,  
Division for Transport Markets and Regulations

Comments on the documents LAW-17034-WGREVCOTIF 3-01 and LAW-17020-WGREVCOTIF 3-02

The Ministry of Enterprise and Innovation would like to thank you for the opportunity to comment on the different solutions presented by the OTIF Secretariat concerning a possible amendment of the procedure for revising COTIF.

The Government Offices of Sweden have unfortunately not yet carried out all the analyses necessary to form a more definitive view of the issue in question. The main reason is the difficulty to foresee the possible future material amendments of COTIF to which a changed revision procedure would apply. It cannot be ruled out that a speedier national legislative process will be required as an effect of a changed revision procedure. This will however depend on what kind of future material changes to COTIF that could be envisaged with some kind of probability. A requirement of a speedier national legislation process may seem easy to meet when it comes to simple editorial changes of COTIF. However, this may not always be the case. If for example the ensuing transposition or incorporation in to national legislation would require a parliamentary decision, it would as a consequence probably be quite difficult to substantially speed up the national legislative process. When it comes to more substantial amendments of COTIF, it is today often necessary to involve the Parliament in the subsequent process of transposition or incorporation into national legislation.

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The Ministry needs therefore more time before committing Sweden to a more specific point of view regarding the solutions presented by the OTIF Secretariat.

In the meantime the Ministry would however like to give you at least some input for the future work by drawing your attention to the fact that more substantial amendments of Swedish civil law today normally require a three year long national legislative process, which includes decision making by the Swedish Parliament. When it comes to changes of the parts of COTIF which are currently transformed or incorporated in public law, the time needed for the national legislative processes may vary and often be shorter than three years. However, if any changes of COTIF would necessitate amendments of for example EU-harmonised national legislation, the time needed for the national legislative processes may, as you know, depend on decisions of the EU.

Yours sincerely,

Maria Gelin

Head of Division