



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

Secrétaire général
Generalsekretär
Secretary General

NOT- 24004
26.03.2024

Original : FR

AUX ÉTATS MEMBRES ET MEMBRES ASSOCIÉS DE L'OTIF
ET AUX ORGANISATIONS RÉGIONALES AYANT ADHÉRÉ À LA COTIF

Notification dépositaire

Moldova – demande d'adhésion à la COTIF

En sa qualité de dépositaire, le Secrétaire général de l'Organisation intergouvernementale pour les transports internationaux ferroviaires (OTIF) vous notifie les informations suivantes :

La République de Moldova a déposé une demande d'adhésion à la Convention relative aux transports internationaux ferroviaires (COTIF) du 9 mai 1980 dans la teneur du protocole de modification du 3 juin 1999 (Protocole de Vilnius), conformément à l'article 37 de la COTIF. L'article 37 prévoit une seule condition substantielle pour adhérer à la COTIF, qui est remplie par la République de Moldova, à savoir l'exploitation d'une infrastructure ferroviaire sur le territoire de l'État concerné.

Toute adhésion à la Convention ne peut concerner que la Convention dans sa version en vigueur au moment de la prise d'effet de l'adhésion, soit la COTIF dans la teneur du Protocole de Vilnius avec les modifications entrées en vigueur ultérieurement.

En application de l'article 42, § 1, première phrase, de la COTIF, la République de Moldova a déclaré qu'elle n'appliquerait pas les appendices A (CIV), C (RID), D (CUV), E (CUI), F (APTU) et G (ATMF) à la Convention.

La République de Moldova a déposé deux instruments liés pour demander son adhésion à la COTIF. Le premier instrument n° 3m/2022, daté du 28 octobre 2022, est signé par la présidente de la République de Moldova, M^{me} Maia Sandu, ainsi que par le vice-premier ministre et ministre des affaires étrangères et de l'intégration européenne, M. Nicolae Popescu.

Le second instrument, daté du 11 mars 2024, est signé par le vice-premier ministre et ministre des affaires étrangères de la République de Moldova, M. Mihail Popșoi. Ce deuxième instrument clarifie un certain nombre d'aspects formels liés à l'instrument n° 3m/2022, comme l'avait demandé le dépositaire.

Les deux instruments susmentionnés constituent ensemble une demande d'adhésion.

Les États membres peuvent formuler une opposition à cette demande auprès du dépositaire dans un délai de trois mois à compter de la date de la présente notification, soit jusqu'au 26 juin 2024. Sauf opposition formulée auprès du dépositaire par cinq États membres dans ledit délai, la demande est admise de plein droit. Conformément à l'article 37, § 3, troisième phrase, de la COTIF, l'adhésion prend effet le premier jour du troisième mois suivant la notification adressée par le dépositaire aux États membres que la demande a été admise de plein droit.



(Wolfgang Küpper)
Secrétaire général

Annexe : Demande d'adhésion de la République de Moldova à la COTIF (versions originales reçues uniquement)

Copie :

- Mission permanente de la République de Moldova auprès de l'Office des Nations Unies, de l'OMC et des autres organisations internationales à Genève
Avenue de France 23
1202 Genève



REPUBLICA MOLDOVA
REPUBLIC OF MOLDOVA

PREȘEDINTELE REPUBLICII MOLDOVA

Aduce la cunoștință că Republica Moldova, prin Legea nr. 150 din 16 iulie 2020, a aderat la Convenția privind transporturile internaționale feroviare (COTIF), adoptată la Berna la 9 mai 1980 cu următoarea declarație:

„În conformitate cu prevederile articolului 1 paragraful 6 din Regulile uniforme privind contractul de transport internațional feroviar al mărfurilor (CIM – Apendice B la Convenție), Republica Moldova va aplica aceste Reguli pe întreaga infrastructură feroviară cu lungimea totală de 1086 km.”

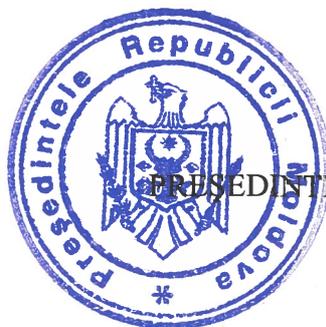
și cu următoarea rezervă:

„În conformitate cu prevederile articolului 42 paragraful 1 din Convenția privind transporturile internaționale feroviare, Republica Moldova declară că nu va aplica următoarele Apendice:

- Regulile uniforme privind contractul de transport internațional feroviar de călători (CIV – Apendice A la Convenție);
- Regulamentul privind transportul internațional feroviar al mărfurilor periculoase (RID – Apendice C la Convenție);
- Regulile uniforme privind contractele de utilizare a vehiculelor în traficul internațional feroviar (CUV – Apendice D la Convenție);
- Regulile uniforme privind contractul de utilizare a infrastructurii în traficul internațional feroviar (CUI – Anexa E la Convenție);
- Regulile uniforme privind validarea normelor tehnice și adoptarea prescripțiilor tehnice uniforme aplicabile materialului feroviar destinat a fi utilizat în traficul internațional (APTU – Apendice F la Convenție);
- Regulile uniforme privind admiterea tehnică a materialului feroviar destinat a fi utilizat în trafic internațional (ATMF – Apendice G la Convenție).”

Declară că prevederile Convenției privind transporturile internaționale feroviare (COTIF), adoptată la Berna la 9 mai 1980, vor fi îndeplinite.

Întru confirmare, semnează prezentul Instrument de Aderare investit cu Sigiliul Statului.



MAIA SANDU

Sandu

PREȘEDINTELE REPUBLICII MOLDOVA

NICOLAE POPESCU

N. Popescu

Ministru al Afacerilor Externe și
Integrării Europene al Republicii Moldova

Chișinău, 28 octombrie 2022.

Nr. 3m/2022.

REPUBLIC OF MOLDOVA

PRESIDENT OF THE REPUBLIC OF MOLDOVA

Brings to notice that the Parliament of the Republic of Moldova by the Law no. 150 of 16 July 2020, has acceded to the Convention concerning International Carriage by Rail, adopted in Bern on 9 May 1980, the declaration as follows:

„According to article 1 paragraph 6 of the Uniform Rules Concerning the Contract of International Carriage of Goods by Rail (CIM - Appendix B to the Convention), the Republic of Moldova will apply these Rules to the entire railway infrastructure with a total length of 1086 km.”

and with the following reservation:

„According to the article 42 paragraph 1 of the Convention concerning International Carriage by Rail, the Republic of Moldova declares that it will not apply the following Appendices:

- Uniform Rules concerning the Contract of International Carriage of Passengers by Rail (CIV – Appendix A to the Convention);
- Regulation concerning the International Carriage of Dangerous Goods by Rail (RID – Appendix C to the Convention);
- Uniform Rules concerning Contracts of Use of Vehicles in International Rail Traffic (CUV – Appendix D to the Convention);
- Uniform Rules concerning the Contract of Use of Infrastructure in International Rail Traffic (CUI – Appendix E to the Convention);
- 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 (APTU – Appendix F to the Convention);
- Uniform Rules concerning the Technical Admission of Railway Material used in International Traffic (ATMF – Appendix G to the Convention).”

Declares that the provisions of the Convention concerning International Carriage by Rail, adopted in Bern on 9 May 1980, will be carried out.

Confirming the exactitude of the above-mentioned, signs the present Instrument of Accession vested with the State Seal.

MAIA SANDU

Nicolae POPESCU

Deputy Prime Minister,
Minister of Foreign Affairs and European
Integration of the Republic of Moldova
Chişinău, 28 October 2022



MINISTRY OF FOREIGN AFFAIRS
OF THE REPUBLIC OF MOLDOVA

Deputy Prime Minister, Minister

Chişinău, 11 March 2024

The Minister of Foreign Affairs of the Republic of Moldova presents his compliments to the Secretary General of the Intergovernmental Organisation for International Carriage by Rail (OTIF) and with regard to the Republic of Moldova's instrument of accession No. 3m/2022 dated 28 October 2022, has the honour to confirm that this constitutes a request for accession to the Convention concerning International Carriage by Rail, as amended by the Modification Protocol of 3 June 1999, in its current version with the subsequent amendments adopted in 2009 and 2014.

The Republic of Moldova also confirms that it will apply the Uniform Rules Concerning the Contract of International Carriage of Goods by Rail (CIM - Appendix B to the Convention) in its current version with the subsequent amendments adopted in 2009 and 2015 to the entire railway infrastructure, which has a total current length of 1086 km.

It is also confirmed that the Republic of Moldova wishes to make the following reservations not to apply the following Appendices in line with Article 42, paragraph 1 of the Convention concerning International Carriage by Rail:

- the "Uniform Rules concerning the Contract of International Carriage of Passengers by Rail (CIV)" forming Appendix A to the Convention,
- "Regulation concerning the International Carriage of Dangerous Goods by Rail (RID)", forming Appendix C to the Convention,
- the "Uniform Rules concerning Contracts of Use of Vehicles in International Rail Traffic (CUV)", forming Appendix D to the Convention,
- the "Uniform Rules concerning the Contract of Use of Infrastructure in International Rail Traffic (CUI)", forming Appendix E to the Convention,
- the "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 (APTU)", forming Appendix F to the Convention,
- the "Uniform Rules concerning Technical Admission of Railway Material used in International Traffic (ATMF)", forming Appendix G to the Convention.

We hope that the clarification provided above will enable the accession procedure of the Republic of Moldova to OTIF to be finalised, as requested by the Parliament under Law No. 150 of 16 July 2020. The Minister of Foreign Affairs of the Republic of Moldova would like to take this opportunity to renew the assurance of his highest consideration to the Secretary General of OTIF.

Sincerely,




Mihail POPȘOI

H.E. Mr Wolfgang KÜPPER
Secretary General of the Intergovernmental
Organisation for International Carriage by Rail