



ORGANISATION INTERGOUVERNEMENTALE POUR LES TRANSPORTS INTERNATIONAUX FERROVIAIRES  
ZWISCHENSTAATLICHE ORGANISATION FÜR DEN INTERNATIONALEN EISENBAHNVERKEHR  
INTERGOVERNMENTAL ORGANISATION FOR INTERNATIONAL CARRIAGE BY RAIL

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**Assemblée générale  
Generalversammlung  
General Assembly**

**AG 12/13  
04.05.2015**

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## **EXPLANATORY REPORT ON THE REVISIONS OF COTIF**

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Revised and consolidated version

## INTRODUCTION

At the 25<sup>th</sup> session of the Revision Committee (Berne, 25 – 26.6.2015), the Secretary General informed the Revision Committee of his intention:

- to update, editorially review and adapt the existing text of the Explanatory Report on COTIF and its Appendices;
- to prepare an Explanatory Report including the explanatory documents already approved by the Revision Committee, in order to provide a consolidated text;
- to submit this revised Explanatory Report to the Revision Committee using the written procedure so that this document can be discussed at the next General Assembly.

The Revision Committee noted this plan.

In a circular dated 13 January 2015 (A 55-25/501.2015) the Secretary General informed the Member States and the European Union of the work the Secretariat had carried out to this end and submitted the result to them for consultation.

Germany, Belgium, France, the United Kingdom, Sweden and the European Commission sent comments and pointed out several places in the explanations concerning COTIF and Appendices A, B, D and E where corrections or adaptations were needed. The European Commission also informed the Secretary General of the EU Member States' coordinated position on the consolidated version of the Explanatory Report on Appendices F and G. The Secretariat edited the comments and proposals received, followed up all the points received and thanks to these points, corrected the mistakes or misleading statements in the new versions of the individual parts of the Explanatory Report.

In a further circular dated 9 March 2015 (A 55-25/502.2015), the Chairman of the Revision Committee sent out the consolidated version of the Explanatory Report for a vote using the written procedure in accordance with Article 21 § 3 of the Revision Committee's Rules of Procedure. Nine voting slips were used to vote separately on the following nine parts of the Explanatory Report:

- Secretariat's report on the revisions of COTIF and the 1999 Protocol (01)
- COTIF (02)
- Protocol on the Privileges and Immunities of OTIF (03)
- CIV (04)
- CIM (05)
- CUV (07)
- CUI (08)
- APTU (09)
- ATMF (10)

At its 4<sup>th</sup> session (Madrid, 17 – 20 November 2014), the RID Committee of Experts' standing working group approved the revised and consolidated version of the Explanatory Report on Appendix C, RID (part 06).

## **RESULT OF THE VOTE USING THE WRITTEN PROCEDURE**

The Member States and the European Union were informed of the result of the written procedure in a circular dated 23 April 2015 (A 55-25/504.2015). All the parts of the revised and consolidated version of the Explanatory Report listed above (01 to 05 and 07 to 10) were adopted.

The parts adopted by the Revision Committee (01-05 and 07-10) and the part adopted by the RID Committee of Experts' standing working group (06) can be found in documents AG 12/13 Add.1 to Add.10.

The explanations only relate to legal texts that have already been adopted, i.e. most recently the amendments to COTIF, the CUV UR, CUI UR, APTU UR and ATMF UR adopted by the Revision Committee in June 2014. If the 12<sup>th</sup> General Assembly adopts any further amendments, the appropriate explanations would have to be incorporated accordingly.

### **Proposal for decision**

The General Assembly

1. notes the revised and consolidated Explanatory Report (as at 21.04.2015) and
2. mandates the Secretary General to include the explanations adopted by this General Assembly which relate to the amendments to COTIF and its Appendices also adopted by this General Assembly.