



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 « RU CUI »  
Arbeitsgruppe „ER CUI“  
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Comments from the European Commission

**E-mail received from Mr. Andrew Ashton, European Commission, DG MOVE, Unit B2 – Single European Rail Area, dated 22 March 2016**

**In terms of Article 1: the scope of application -**

I know this has been discussed before, but I can still foresee that there could be an inconsistency of interpretation between the French "d'un état membre " and the proposed English version "in a member state". In either language the opportunity exists to clarify whether location or ownership is intended and we feel that we should perhaps do so.

**Article 3: the definitions –**

We would be broadly supportive of the clarified definition of international train.

**In terms of the recourse –**

We can see advantages and disadvantages of both options, which are clearly explained in the document. On balance we feel that the second option offers more symmetry between the potential liabilities that could be incurred by infrastructure managers and carriers. We are interested to hear the 'real world' opinions of EIM, RNE and CER who we note have been also asked for comments, and we look forward to participating in further discussions on this topic.