

OTIF



**ORGANISATION INTERGOUVERNEMENTALE POUR
LES TRANSPORTS INTERNATIONAUX FERROVIAIRES**

**ZWISCHENSTAATLICHE ORGANISATION FÜR DEN
INTERNATIONALEN EISENBAHNVERKEHR**

**INTERGOVERNMENTAL ORGANISATION FOR INTER-
NATIONAL CARRIAGE BY RAIL**

05.08.2010

**Convention concerning International Carriage by Rail (COTIF)
of 9 May 1980**

Declarations and reservations

On signing the Convention concerning International Carriage by Rail of 9 May 1980 or on depositing of their instruments of ratification, acceptance, approval or accession to this Convention the following Member States made the below mentioned declarations or reservations:

Albania

“The People's Socialist Republic of Albania declares that, when submitting a dispute to arbitration, it is necessary to have the agreement of all parties to the dispute for each individual case.

The railways of the People's Socialist Republic of Albania are only open for the international carriage of goods.¹

The accession of the People's Socialist Republic of Albania will become effective after the Albanian railways have been linked to the international railway network.”

Austria

“The Republic of Austria reserves the right, in accordance with Article 3 § 1 of Annex A to the Convention, not to apply the provisions regarding the civil liability of railways in the case of death of or personal injury to passengers where the accident occurs in its territory and the passenger is an Austrian national or is normally resident in Austria.”

Czechoslovakia

“The Czechoslovak Socialist Republic, in accordance with Article 12, § 3 of the Convention concerning International Carriage by Rail (COTIF), concluded at Berne on 9 May 1980, will not apply Article 12, § 1 thereof and, in accordance with Article 3, § 1 of Appendix A - CIV Uniform Rules, will not apply to passengers involved in accidents occurring in its territory the

¹ From 2 September 2005, Albania has also made the international carriage of passengers subject to the COTIF regime.

whole of the provision concerning the liability of the railway in case of death or of personal injury to passengers, when such passengers are nationals of the Czechoslovak Socialist Republic or have their usual place of residence in the Czechoslovak Socialist Republic.”

Czech Republic/Slovak Republic

The Czech Republic and the Slovak Republic, successor states of Czechoslovakia, maintained the reservations expressed by Czechoslovakia, however provided that the reservation in accordance with Article 3, §1 of Appendix A concerns respectively Czech or Slovak nationals and people with their usual place of residence in the Czech Republic or the Slovak Republic.

Finland

“In accordance with Article 3 of Appendix A to the Convention (Uniform Rules concerning the Contract for International Carriage of Passengers and Luggage by Rail, CIV), Finland reserves the right not to apply to passengers involved in accidents occurring in its territory the whole of the provisions concerning the liability of the railway in case of death of, or personal injury to, passengers, when such passengers are Finnish nationals or have their usual place of residence in Finland.”

Iran

“The Islamic Republic of Iran reserves the right, in accordance with Article 3 § 1 of Annex A to the Convention, not to apply the provisions on civil liability of railways in the case of death of, or personal injury to, passengers, when the accident occurs in its territory and the passenger is an Iranian national or is habitually resident in Iran.”

Iraq

“The Republic of Iraq is not to be considered bound by the text of § 1 of Article 12 of the Convention, which provides that any dispute between the contracting parties about the interpretation or application of this Convention can be referred to a court of arbitration on the request of one of the parties, since disputes of this nature can only be subjected to arbitration with the agreement of all the parties to the dispute on each occasion separately, and this in application of paragraph 3 of Article 12 of the Convention.

There shall not be applied all the provisions of the Convention concerning the responsibility of the railways in the case of the death of or injury to passengers in the case of citizens of the Republic of Iran and citizens of other states customarily resident in Iraq if they are victims of accidents occurring within Iraqi territory.

The ratification of the Republic of Iraq does not signify in any manner recognition of what is called "Israel" and does not lead to the entry of Iraq into dealings with it on matters contained in the Convention and the Protocol.”

Latvia

“In accordance with Article 3 of Appendix A to the Convention concerning International Carriage by Rail (COTIF) of 1980, the Republic of Latvia reserves the right not to apply to passengers involved in accidents occurring in the territory of the Republic of Latvia the provisions concerning the liability of the railway in case of death of or personal injury to passengers, when such passengers are nationals of or have their usual place of residence in the Republic of Latvia.”

Poland

“The People’s Republic of Poland declares, pursuant to Article 3 § 1 of the CIV Uniform Rules, that it will not apply the whole of the provisions concerning the civil liability of the railway in case of death of, or personal injury to, passengers when the accident occurs in the territory of the People’s Republic of Poland and the passenger is a Polish national or has his usual place of residence in Poland.”

Portugal

- „1. In accordance with Article 12 § 3 of COTIF, the recourse to the arbitration will not be admitted for the settlement of disputes arising from the application of the CIV Uniform Rules or the CIM Uniform Rules in accordance with § 2 of this Article.
2. In accordance with Article 3 § 1 of the CIV Uniform Rules, the whole provisions concerning the liability of the railway will not apply in case of death of or personal injury to passengers where the accident occurs in portuguese territory and the passenger is an Portuguese national or is normally resident in Portugal.”

Romania

- „a) The Socialist Republic of Romania declares that it does not deem itself bound by the provisions of Article 12 § 1 of the Convention, which state that any dispute between the contracting parties concerning the interpretation or application of the Convention may be referred for settlement by arbitration at the request of one of the parties. The Socialist Republic of Romania considers that such disputes may be referred to arbitration only with the agreement, in each individual case, of all the parties to the dispute.
- b) The Socialist Republic of Romania declares that it does not deem itself bound by provisions of those of the Uniform Rules concerning the Contract for International Carriage of Passengers and Luggage by Rail which relate to the liability of the railway in case of death of or personal injury to passengers involved in accidents occurring in its territory, where such passengers are Romanian citizens or have their usual place of residence in the Socialist Republic of Romania.

Sweden

“Sweden declares, pursuant to Article 3 § 1 of the CIV Uniform Rules, that it will not apply the whole of the provisions concerning the liability of the railway in case of death of, or personal injury to, passengers where the accident occurs in its territory and the passengers are Swedish nationals or have their usual place of residence in Sweden.”

Ukraine

- „1. By virtue of § 3 of Article 12 of the Convention, the Ukraine does not consider itself bound by the provisions of § 1 and § 2 of this Article.
2. In accordance with § 1 of Article 3 of Appendix A to the Convention (Uniform Rules concerning the Contract of International Carriage of Passengers by Rail (CIV)), the Ukraine reserves the right not to apply the provisions of this Convention to passengers involved in accidents occurring on the territory of the Ukraine when such passengers are nationals of, or have their usual place of residence in, the Ukraine.”