



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



INTERNATIONAL INSTITUTE FOR THE UNIFICATION OF PRIVATE LAW  
INSTITUT INTERNATIONAL POUR L'UNIFICATION DU DROIT PRIVE

**PREPARATORY COMMISSION FOR THE  
ESTABLISHMENT OF THE INTERNATIONAL REGISTRY  
FOR RAILWAY ROLLING STOCK PURSUANT TO THE  
LUXEMBOURG (RAIL) PROTOCOL**

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**9<sup>th</sup> session**  
**Berne/remote, 8 April 2021**

**Item n° 3 on the Agenda: Report on developments since the last Preparatory Commission session and activities of the Ratification Task Force**

This document provides a brief update on developments concerning the activities towards the implementation of the Luxembourg (Rail) Protocol since the 8<sup>th</sup> Preparatory Commission Session held in December 2018.

*Outcome of the 8<sup>th</sup> Preparatory Commission*

1. The Preparatory Commission for the establishment of an International Registry under the Luxembourg Rail Protocol was set up by Resolution No. 1 of the Luxembourg diplomatic Conference on 23 February 2007.
2. The 8<sup>th</sup> Session of the Preparatory Commission, jointly convened by the International Institute for the Unification of Private Law UNIDROIT and the Intergovernmental Organisation for International Carriage by Rail (OTIF), co-chaired by Mr Peter Bloch, a representative of the United States of America, and Ms Mervi Kaikkonen, a representative of Finland, and hosted by UNIDROIT, was held on 6-7 December 2018. The Preparatory Commission discussed and approved, with minor modifications, the Statutes and the Rules of Procedure of the Supervisory Authority that had been approved by the OTIF Administrative Committee and General Assembly. It also approved the establishment of a sub-committee to address a specific list of technical matters requiring a quick turn-around for the implementation of the Registry. The Preparatory Commission further received information on the work-in-progress on revised and updated draft Regulations for the International Registry for Railway Rolling Stock, and on the activities of the Ratification Task Force and the Rail Working Group in promoting the entry into force of the Protocol.

### *Status of the Protocol*

3. UNIDROIT has been designated as the Depositary of the Luxembourg Rail Protocol pursuant to its Article XXXIV (1).

1. As of 8 March 2021, the Luxembourg Rail Protocol was signed by six States (France, Germany, Italy, Mozambique, Switzerland, and the United Kingdom) and ratified by three States (Luxembourg, Gabon and Sweden) and one contracting Regional Economic Integration Organisation (the European Union). Entry into force of the Protocol needs one additional ratification/accession alongside the deposit by the Secretariat of the Supervisory Authority with the Depositary of a certificate confirming that the International Registry is fully operational (taking into account that such certificate is needed for the Registry to start its operation under Article XXIII (1) (b) Prot.).

4. The Co-Chair of the Preparatory Commission was informed that the Luxembourg Rail Protocol is being currently considered by a number of Governments, and work towards its implementation is progressing in several jurisdictions (among which Kenya, Mauritius, Mozambique, South Africa, Spain, and the United Kingdom).

### *Promotional activities*

5. Numerous promotional activities (conferences, seminars, governmental meetings...) were undertaken since the 8<sup>th</sup> Preparatory Commission Session by the Ratification Task Force, the UNIDROIT Secretariat and the Rail Working Group, also in cooperation with other institutions and organisations, and both in person and virtually, in various States around the world (among others in China, Egypt, Indonesia, Kenya, Lithuania, Mauritius, Nigeria, South Africa, Spain), as well as at the European Council, UN Economic Commission for Africa, African Union conferences and UN Economic Commission for Europe meetings.

6. The Rail Working Group has also recently published two studies from Oxera on the economic benefits of the Protocol for respectively the [United Kingdom](#) and [Africa](#), a “green paper” on how the Protocol will help to battle global climate change and has also made a detailed [presentation to Export Credit Agencies](#) on the Protocol at the annual OECD ECA/CSO meeting.

7. For a complete list of events with participation of the UNIDROIT and of the OTIF Secretariats please see the UNIDROIT Annual Report [2019](#) (pages 32 et seq) and the [UNIDROIT website](#).

8. For updated information of the numerous activities organised, sponsored or generally undertaken by the Rail Working Group see [www.railworkinggroup.org](http://www.railworkinggroup.org).

### *Cooperation with other organisations*

Since the latest Preparatory Commission, the Luxembourg Rail Protocol has gained the support of key UN regional agencies and other intergovernmental organisations and bodies interested in fostering sustainable growth, including the UN Economic Commission for Africa (UN ECA) and the Programme for Infrastructure Development in Africa (PIDA). More information at the following links: [E/ECA/CM/52/2](#); PIDA [conclusive communiqué](#).

For the activity of the “Group of Experts on Permanent Identification of Railway Rolling Stock” (GE\_PIRRS) on the implementation of the Unique Rail Vehicle Identification System under the Luxembourg Rail Protocol (URVIS), established by the United Nations Economic Commission for Europe (UNECE) Inland Transport Committee, see point 7 in the Agenda.