



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

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**Secrétaire général**  
**Generalsekretär**  
**Secretary General**

**NOT-21041**  
**08.10.2021**

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**TO THE MEMBER STATES AND ASSOCIATE MEMBERS OF OTIF AND TO  
REGIONAL ORGANISATIONS WHICH HAVE ACCEDED TO COTIF**

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Modification of and Addendum 3 to the Guidelines on treaty acts under COTIF

Authentic texts and certified copies of COTIF 1999 and amendments to it

1. The ‘Guidelines on treaty acts under COTIF’ were initially prepared to address mainly the question of which authority is entitled to represent a State in respect of COTIF 1999. However, the scope of the Guidelines needs to be broadened and other depositary issues need to be addressed, particularly the authentic version and certified copies of COTIF 1999 and amendments to it

2. Paragraph 12 of the ‘Guidelines on treaty acts under COTIF’ is modified as follows:

“12. These Guidelines contain general considerations concerning representation for the purpose of performing treaty acts (Part B), the granting of authority to represent the State in respect of COTIF 1999 (Part C) and the format of the certification of true copies of the authentic text of COTIF 1999 and amendments to it (Part D). Annex I contains a summary table of requirements with regard to COTIF, Annex II sets out the requirements for the full powers instrument, Annex V sets out the requirements for the deposit of instruments expressing consent to be bound or modifying the commitments of a State and Annex VI details requirements for notifications that do not express consent to be bound or modify the commitments of a State. Annexes III, IV and VII-XVIII contain model instruments.”

3. The following new Part D is added to the ‘Guidelines on treaty acts under COTIF’:

“D. The authentic text and certified copies of COTIF 1999 and amendments to it

1. COTIF 1999

102. The authentic version of COTIF 1999 is the original of the Modification Protocol annexed to the Final Document of the 5<sup>th</sup> session of the General Assembly signed by the Member States. Certified copies should be produced from the above original, excluding pages with the signatures. Corrections of errors should not be integrated into the authentic text.

103. The following format of the certification of a true copy of COTIF 1999 is used:

‘I hereby certify that the attached text [submitted electronically] is a true and complete copy of the Convention concerning International Carriage by Rail (COTIF) of 9 May 1980, as amended by the Modification Protocol of 3 June 1999, the original of which is deposited with the Secretary General.

I further certify that a true and complete copy of the corrections effected is attached.

I further certify that the Modification Protocol entered into force on 1 July 2006, in accordance with Article 4 of 1999 Protocol.

The Secretary General	or	For the Secretary General
[Name]		[Name and title]
[Signature]		[Signature]
Berne, [date]		Berne, [date]’

2. Amendments to COTIF 1999 adopted by the General Assembly or the Revision Committee
104. The authentic text of amendments to COTIF 1999 adopted by the General Assembly or the Revision Committee is the text established by the Secretary General in application of Articles 34 § 1 and 35 § 1 of COTIF 1999. Corrections of errors should not be integrated into the authentic text. In case of amendments to different parts of the Convention, each set of amendments (e.g. to the Base Convention or Appendix A, etc.) must be certified separately, as is the case in depositary notifications of adopted amendments.
105. The following format of the certification of a true copy of the authentic text of amendments adopted by the Revision Committee or the General Assembly to COTIF 1999 is used:

'I hereby certify that the attached text [submitted electronically] is a true and complete copy of the authentic text established by the Secretary General, in accordance with Article [34 § 1 / 35 § 1] of COTIF, of the modifications to [Appendix [letter and title] to the] Convention concerning International Carriage by Rail (COTIF) of 9 May 1980 (as amended by the Modification Protocol of 3 June 1999) [itself] adopted by the [General Assembly / Revision Committee] at its [number] session on [date].

[I further certify that a true and complete copy of the corrections effected is attached.]

[I further certify that these modifications [have not yet entered into force / entered into force on [date] / will enter into force on [date]], in accordance with [Article 34 § 3 / Article 35 § 2 / Article 35 § 3] of COTIF.

The Secretary General	or	For the Secretary General
[Name]		[Name and title]
[Signature]		[Signature]
Berne, [date]		Berne, [date]''