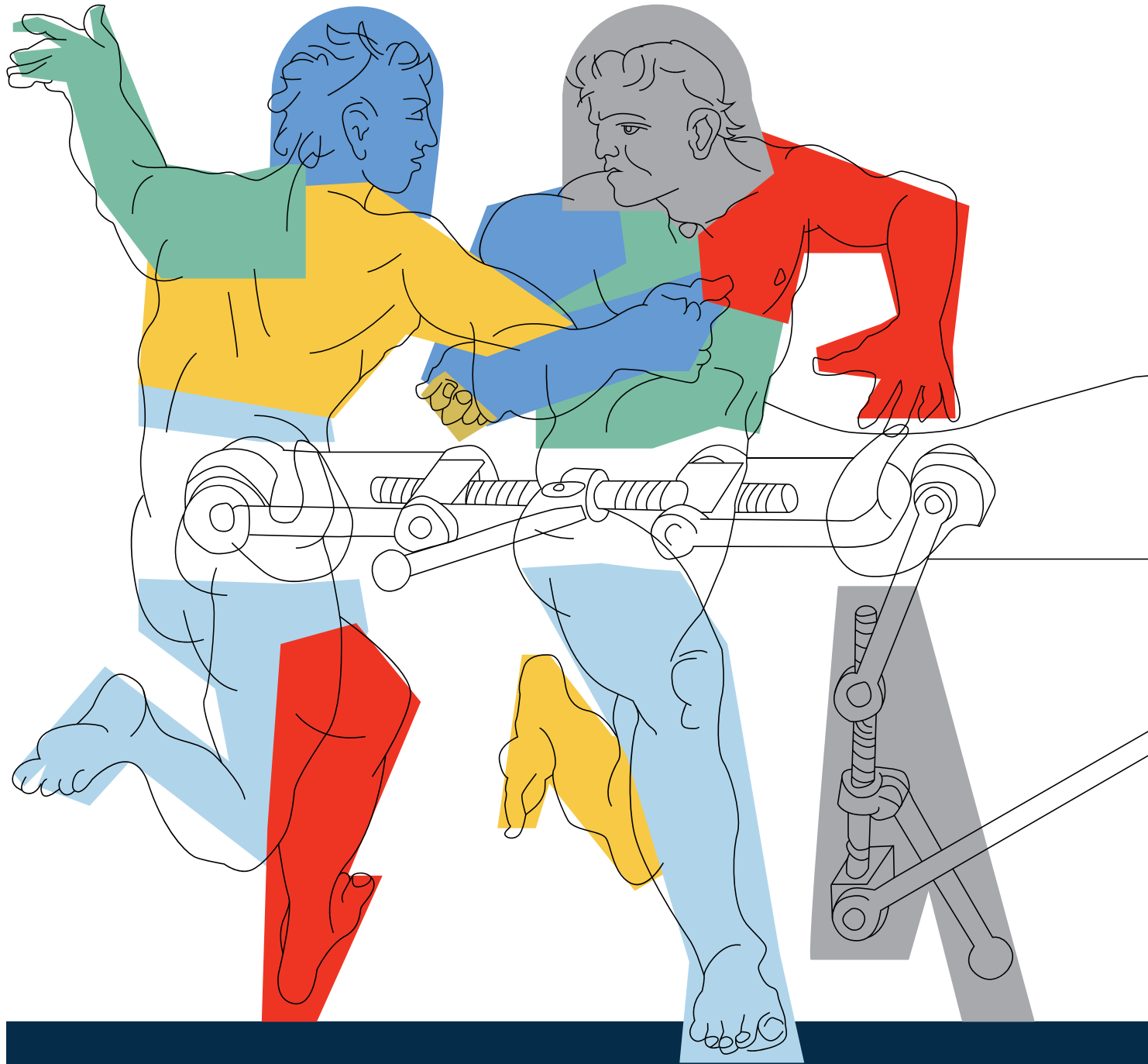


ANNUAL REPORT

20
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A forum for uniform
railway law Continuous
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Ensure that the Secretariat
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List of abbreviations

ADN

European Agreement concerning the International Carriage of Dangerous Goods by Inland Waterways

ADR

Agreement concerning the International Carriage of Dangerous Goods by Road

APTU UR

Uniform Rules concerning the Validation of Technical Standards and the Adoption of Uniform Technical Prescriptions applicable to Railway Material intended to be used in International Traffic (Appendix F to COTIF)

ATMF UR

Uniform Rules concerning the Technical Admission of Railway Material used in International Traffic (Appendix G to COTIF)

CIM UR

Uniform Rules concerning the Contract of International Carriage of Goods by Rail (Appendix B to COTIF)

CIT

International Rail Transport Committee

CIV UR

Uniform Rules concerning the Contract of International Carriage of Passengers by Rail (Appendix A to COTIF)

COTIF

Convention concerning International Carriage by Rail

CS(s)

Contracting State(s)

CSM

Common Safety Method

CTE

Committee of Technical Experts

CUI UR

Uniform Rules concerning the Contract of Use of Infrastructure in International Traffic (Appendix E to COTIF)

CUV UR

Uniform Rules concerning Contract of Use of Vehicles in International Rail Traffic (Appendix D to COTIF)

DAC

Digital automatic coupler

DG MOVE

Directorate-General for Mobility and Transport of the European Commission

ECM

Entity in Charge of Maintenance

ECO

Economic Cooperation Organization

ECOSOC

United Nations Economic and Social Council

ERA

European Union Agency for Railways

EST UR

Uniform Rules concerning the Safe Operation of Trains in International Traffic

EU

European Union

GCC

Gulf Cooperation Council

GEN

General Provisions

INF

Infrastructure

IRS

International railway Solutions

JCGE

Joint Coordinating Group of Experts

LOC&PAS

Locomotives and Passenger rolling stock

MS(s)

Member State(s)

OECD

Organisation for Economic Co-operation and Development

OSJD

Organisation for Cooperation between Railways

OTIF

Intergovernmental Organisation for International Carriage by Rail

PRM

Accessibility for persons with disabilities and persons with reduced mobility

RID

Regulation concerning the International Carriage of Dangerous Goods by Rail (Appendix C to COTIF)

RISC

Railway Interoperability and Safety Committee

RNE

RailNetEurope

SMGS

Agreement concerning International Freight Traffic by Rail (OSJD)

TAF

Telematics Applications for Freight services

TCRC

Train Composition and Route Compatibility checks

TRACECA

Transport Corridor Europe-Caucasus-Asie

TSI

Technical Specification for Interoperability (European Union)

UIC

International Union of Railways

UN

United Nations

UNCITRAL

United Nations Commission On International Trade Law

UNECE

United Nations Economic Commission for Europe

UNESCAP

United Nations Economic and Social Commission for Asia and the Pacific

UNIDROIT

International Institute for the Unification of Private Law

UTP

Uniform Technical Prescription (OTIF)

WAG

Freight wagons

WG TECH

Working group Technology of the Committee of Technical Experts

Introduction

Wolfgang KÜPPER

The Annual Report for 2023 concludes the 2022-2023 Work Programme. For the first time, the 2022-2023 Work Programme included the following “general objectives” in addition to the contributions from the individual departments:

- Decisions of OTIF’s 15th General Assembly
- Monitoring and assessment of legal instruments
- Complementarity of work programme and long-term strategy
- Human and financial resources
- Digitalisation
- Appropriate working methods for the OTIF Secretariat

Considerable progress was made in all these areas. One focus of the work of the ad hoc Committee on Legal Affairs and International Cooperation was on measures to monitor and assess OTIF’s legal instruments.

I also very much hope that the long-term strategy can be adopted at the 16th General Assembly in September 2024 after further intensive discussion and that this strategy will be an important addition to OTIF’s two-year work programme and annual report in the future.

Significant progress was also made in terms of human resources, for example, by clearing the backlog of promotions in the Secretariat and by making teleworking possible across the board.

I would particularly like to highlight two events that the departments worked on:

Firstly, the celebrations to mark the 130th anniversary of the CIM UR and the 95th anniversary of the CIV UR, as well as the Guidelines on gender-neutral language. Quite a range of topics!

It should be emphasised that all this work was carried out in parallel with the completion of the intensive planning phase for the renovation of OTIF’s headquarters and the relocation of the Secretariat to the temporary offices. This was carried out in parallel with all the other activities.

However, 2023 also brought unforeseeable developments that directly affected the railway sector and whose consequences for OTIF are not yet foreseeable, for example in the geopolitical sphere with the continuation of the war in Ukraine.

There was a positive impetus in connection with the Luxembourg Protocol, where, seventeen years after its adoption, its entry into force has finally become a reality with OTIF’s new role as the Secretariat of the Supervisory Authority.

A forum for uniform railway law

Aleksandr KUZMENKO
Head of Legal Department

This part of the Annual Report presents the work of the OTIF Secretariat's Legal Department and the work of the ad hoc Committee on Legal Affairs and International Cooperation.

The Legal Department dealt with various legal questions relating to the execution of depositary functions, accession to the Convention and the interpretation and application of the Convention itself and of the following appendices: CIV UR, CIM UR, CUV UR and CUI UR.

The ad hoc Committee on Legal Affairs and International Cooperation is working on the basis of its 2022-2024 work programme, which was adopted at its 1st session and is regularly updated. It held two sessions in 2023. The 4th session was held in Berne as a hybrid meeting from 18 to 20 April 2023, and the 5th session was held in Berne as an in-person meeting from 7 to 9 November 2023.

Legal affairs: suspension and termination of COTIF and/or membership of OTIF with regard to a particular Member State

In accordance with its 2022-2024 work programme, the ad hoc Committee on Legal Affairs and International Cooperation reviewed OTIF and international law rules and relevant practice on the suspension and termination of treaties and membership (including limitation of some rights).

Following some preliminary discussions at its 3rd and 4th sessions, the ad hoc Committee on Legal Affairs and International Cooperation held an in-depth discussion at its 5th session and decided to continue the work on whether COTIF should be modified to include additional provisions on the suspension and termination of COTIF and/or membership of OTIF with regard to a particular Member State. At the same session, the ad hoc Committee also decided to set up an ad hoc working group to prepare a proposal to provide basic regulatory principles or draft modifications to COTIF on the subject in question. At its 6th session, the ad hoc Committee will consider the results of the ad hoc working group.

Legal affairs: use of electronic signatures in official communications between OTIF and its members

In accordance with its 2022-2024 work programme, the ad hoc Committee on Legal Affairs and International Cooperation examined the legal requirements for the use and acceptance of electronically signed documents (credentials, letters, approvals, reservations, depositary notifications etc.) in official communications between OTIF and its members.

At its 5th session, on the basis of an inception paper prepared by the Legal Department, the ad hoc Committee considered the use of electronic documents in public international relations as well as relevant national and regional initiatives. At the same session, following an in-depth discussion, the ad hoc Committee decided that a recommendation should be prepared by the Secretariat for consideration and adoption by the ad hoc Committee, taking into account the following general principles:

- official communications between OTIF and its members should be divided into two categories:
 - ‘qualified’ communications, which currently require original paper documents (instruments) that are signed by a pre-determined state authority attesting the intention of the state to be bound or expressing its official position;
 - ‘simple’ communications, where scanned copies, e-mails and documents signed with electronic images of signatures are accepted;
- electronic signatures should be accepted for ‘simple’ communications only.

At its 6th session, the ad hoc Committee is expected to adopt a recommendation on the use of electronic signatures in official communications between OTIF and its members.

Legal affairs: application of the CUI UR to service facilities

In accordance with its 2022-2024 work programme, the ad hoc Committee on Legal Affairs and International Cooperation should examine the issue of the application of the CUI UR to service facilities. In particular, it should be established whether the CUI UR apply and to what extent.

At its 4th session, the ad hoc Committee considered an inception paper setting out some general considerations concerning the CUI UR, a brief overview of the applicable rules of interpretation and an examination of the scope of the CUI UR. At its 5th session, the ad hoc Committee adopted an advisory legal opinion on the interpretation of the CUI UR. The following conclusions were made in the legal opinion:

- The CUI UR apply to any contract of use of railway infrastructure for the purposes of international carriage within the meaning of the CIV UR and the CIM UR. The CUI UR do not affect the public law applied in OTIF members concerning railway infrastructure and access to it and are complementary to that law.
- International use of infrastructure occurs in two cases where there is an international infrastructure capacity or successive national infrastructure capacities needed to run a train between two places.
- It is necessary to ensure a harmonised and complementary interpretation of the CUI UR and the public law applied in the OTIF members in order to avoid conflicts between two legal regimes and to enable application of the CUI UR. A definition of railway infrastructure in the CUI UR which goes beyond the corresponding definition in internal law would create a situation in which the scope of the contract of use would extend beyond the railway infrastructure to which access is granted, which would therefore be contradictory. Consequently, the determination of what constitutes 'railway infrastructure' for the purposes of the CUI UR should be carried out in two stages. Firstly, it is the public law applied in the OTIF member which determines what constitutes railway infrastructure and what the conditions of access to it are. Secondly, only railway infrastructure as defined by the applicable public law of an OTIF member and meeting the requirements of Article 3(a) of the CUI UR can be the subject of a contract of use under the CUI UR.

Legal affairs: use of gender-neutral language in OTIF

In accordance with its 2022-2024 work programme, the ad hoc Committee on Legal Affairs and International Cooperation considered the introduction of gender-neutral language in OTIF legal instruments.

Taking into account the discussions and decisions at its 1st and 2nd sessions, at its 4th session the ad hoc Committee considered draft guidelines for the use of gender-neutral language, some general principles for the use of gender-neutral language in relevant legal instruments and possible ways of ensuring that the guidelines remain a living instrument, with the members of OTIF being consulted on updates to the guidelines whenever necessary. Following an in-depth-discussion, the ad hoc Committee:

- reiterated the following conclusion made at its 2nd session: that OTIF's legal instruments do not have a discriminatory effect;
- reiterated the following decision made at its 2nd session: in principle, to support the use of gender-neutral language in OTIF's legal instruments;
- reiterated the following consideration made at its 2nd session: that initially, the introduction of gender-neutral language should be limited to the provisions of legal instruments under binding or non-binding institutional law which is addressed to natural persons or which refers to specific roles, positions or offices, including vacancy notices;
- recommended that gender-neutral language should only be used in relevant legal instruments on condition that the clarity, readability, legal certainty and consistency of texts in OTIF's three working languages are ensured;
- recommended that gender-neutral language should be used consistently throughout relevant legal instruments;
- recommended that the Secretariat should ensure the consistent use of gender-neutral language in relevant legal instruments by means of guidelines on the use of gender-neutral language. The Secretariat will issue these guidelines and keep them up to date, if necessary in consultation with OTIF members;
- acknowledged that application of the non-legally binding guidelines on gender-neutral language in OTIF shall by no means have any effect on the legal order of OTIF members.

Following a consultation of OTIF members, the Secretariat published [Guidelines on the use of gender-neutral language](#).

Legal affairs: the digitalisation of international transport, particularly freight transport documents

In accordance with its 2022-2024 work programme, the ad hoc Committee on Legal Affairs and International Cooperation monitored and assessed how digitalisation, and which specific aspects, should be supported and/or regulated by OTIF.

At its 5th session, the ad hoc Committee continued the discussions started at its 2nd and 3rd sessions and, in particular, considered an inception paper prepared by the Legal Department. The inception paper provided the necessary background information and analysis to assess the suitability of the regulation of the international contract of carriage of goods under the CIM UR for paperless transport. At its 5th session, the ad hoc Committee considered the inception paper and instructed the Secretariat to prepare for the 6th or 7th session an analytical working document setting out possible modifications to the CIM UR to facilitate the use of electronic railway transport documents. The Secretariat intends to submit an analytical working document for consideration at the 7th session, if its mandate is extended.

Legal affairs: legal protection of OTIF's name, abbreviation, logo and works

In accordance with its 2022-2024 work programme, the ad hoc Committee on Legal Affairs and International Cooperation examined the legal requirements to ensure legal protection of OTIF's name, abbreviation, logo and works and to determine measures to this effect. The Secretariat's Legal Department prepared an inception paper to provide the necessary background information and analysis on possible actions to enhance the legal protection of OTIF's name, abbreviation, logo and works.

Following consideration of the inception paper at its 5th session, the ad hoc Committee:

- instructed the Secretariat to prepare a copyright policy including open access publishing where appropriate, taking into account the different types of documents published by OTIF;
- considered that the General Assembly should approve the logo and flag of OTIF and adopt guidelines on the use of OTIF's name, abbreviation, logo and flag;
- instructed the Secretariat to prepare draft guidelines on the use of OTIF's name, abbreviation, logo and flag to be discussed at the next session of the ad hoc Committee;
- instructed the Secretariat to proceed with the registration of OTIF's "armorial bearings" in accordance with Article 6ter of the Paris Convention for the Protection of Industrial Property.

It is expected that the ad hoc Committee will consider further legal protection of the name, abbreviation, logo and works of OTIF at its 6th session.



International cooperation: handbook on COTIF and its implementation and application by international associations

In accordance with its 2022-2024 work programme, the ad hoc Committee on Legal Affairs and International Cooperation clarified the roles and responsibilities of international associations with regard to the implementation and application of COTIF, thus promoting and facilitating the uniform implementation and application of COTIF.

At its 5th session, the ad hoc Committee considered the concept of a handbook on COTIF and its implementation and application prepared by the Secretariat's Legal Department. The aim of a handbook on COTIF and its implementation and application by international associations is to outline the railway law established by COTIF and to show the different roles and responsibilities of international associations supporting the application of COTIF in the day-to-day business of international rail transport. It should serve as a practical reference for OTIF members, states interested in acceding to COTIF and, primarily, their respective railway sectors. Moreover, it is not intended to replace or duplicate existing documents, in particular the Consolidated Explanatory Report to COTIF.

Following the consideration of the concept of the handbook at its 5th session, the ad hoc Committee instructed the Secretariat, in cooperation with interested associations, to prepare and publish a handbook on COTIF (contract law) and its implementation and application by international associations. The handbook should be of an informative nature. The Secretariat of OTIF and the international associations should ensure that the handbook is kept up to date as a living instrument. The Secretariat should consult the focal points of the ad hoc Committee prior to publication of the first edition, the adoption of substantive changes to subsequent editions, and whenever it is considered useful. Updating the handbook or adding information on international associations and their instruments and tools does not constitute a substantive change to the handbook.

It is expected that the ad hoc Committee will consider further questions related to the handbook at its 6th session.

Long-term strategy

In accordance with its 2022-2024 work programme, the ad hoc Committee on Legal Affairs and International Cooperation assisted the Secretary General in the preparation of a long-term strategy based on the decision of the General Assembly at its 15th session.

At its 4th session, the ad hoc Committee advised the Secretary General that OTIF's long-term strategy should be structured as follows:

- Vision: as an international forum, OTIF should play a central role to make rail transport the backbone of a sustainable and seamless international transport system.
- Mission: promote, improve and facilitate international traffic by rail in all respects (cf. COTIF Article 2).
- Strategic objectives:
 1. Ensure the effective and uniform application of OTIF law.
 2. Expand the application of OTIF law over the widest possible geographical area.
 3. Ensure that OTIF law remains relevant over time.
 4. Enhance OTIF's leading role in international rail transport and contribute to finding synergies with other relevant international organisations and associations.
 5. Contribute to the harmonisation and unification of international railway law systems.

At the same session, the ad hoc Committee revised the action plan for the development of OTIF's long-term strategy adopted at its 2nd session. At the 5th session, the ad hoc Committee advised the Secretary General to update the description of the strategic objectives and actions on the basis of the discussion at the session. In accordance with the revised action plan, the ad hoc Committee, at its 6th session, will provide final advice to the Secretary General on the draft long-term strategy to be submitted to the General Assembly for consideration and decision at its ordinary session in September 2024.

The CIM UR and CIV UR: feedback and prospects

At the 5th session of the ad hoc Committee, an anniversary event entitled 'The CIM UR and CIV UR: feedback and prospects' was held, which was very successful. The event highlighted a number of issues for consideration, including possible revision of the CIV UR and the CIM UR.

These issues should provide a basis for considering the ad hoc Committee's work programme for 2025-2027, should the General Assembly decide in September 2024 to extend its mandate.

INTERNATIONAL ORGANISATIONS AND ASSOCIATIONS

The achievement of OTIF's aim depends, among other things, on effective and efficient cooperation with relevant international organisations and associations. Most of them are either registered stakeholders or observers with standing observer status at the ad hoc Committee on Legal Affairs and International Cooperation. In 2023, cooperation with the following international organisations and associations is worth mentioning (in alphabetical order of their acronyms and abbreviated titles): CIT, ECO, GCC, OECD, OSJD, TRACECA, RNE, UIC, UNCITRAL, UNECE and UNESCAP.

PROMOTING AND ASSISTING ACCESSION TO COTIF

51 states and one regional economic integration organisation are members of OTIF. 47 states are active, full Member States of OTIF and contracting parties to COTIF. The membership of Iraq, Lebanon and Syria is suspended. Jordan is an associate member of OTIF and is not a contracting party to COTIF. Accession to COTIF is open to any state on whose territory railway infrastructure is operated and to regional economic integration organisations of which at least one member is an OTIF Member State. Extending the geographical scope of COTIF is a priority of the OTIF Secretariat, which provides any assistance necessary with regard to accession. The Secretariat, and the Legal Department in particular, continue to advise various stakeholders about the accession procedure (full membership, membership of regional economic integration organisations and associate membership) and the benefits of membership. In 2020, Moldova started the procedure for accession to COTIF. In 2023, the Secretariat continued to advise Moldova on accomplishing all the formal requirements to initiate the formal accession procedure in accordance with Article 37 of COTIF. A great deal of work was also carried out with the Cooperation Council for the Arab States of the Gulf (GCC), which is aiming to construct an integrated regional railway network between its Member States: Saudi Arabia, Bahrain, the United Arab Emirates, Kuwait, Oman and Qatar.

EXECUTION OF DEPOSITARY FUNCTIONS

The Secretary General is the Depositary of COTIF. The depositary functions are administrative and non-political. To a certain extent, the execution of these functions includes the impartial exercise of control and supervision. In 2023, the Depositary issued depositary notifications concerning, in particular:

- Approval of amendments to COTIF adopted by the General Assembly at its 12th and 13th sessions;
- CIV and CIM list of maritime and inland waterway services;
- CIV and CIM list of railway lines.

OVERVIEW OF MEETINGS HELD IN 2023

4th session of the ad hoc Committee on Legal Affairs and International Cooperation
18 - 20 April, Berne (hybrid meeting)

5th session session of the ad hoc Committee on Legal Affairs and International Cooperation
7 - 9 November, Berne (in-person meeting)

Continuous improvement of safety in the transport of Dangerous Goods

Jochen CONRAD
Head of Dangerous Goods

The current version of RID entered into force on 1 January 2023. When the six-month transitional period expired on 30 June 2023, the 2021 edition of RID was finally replaced.

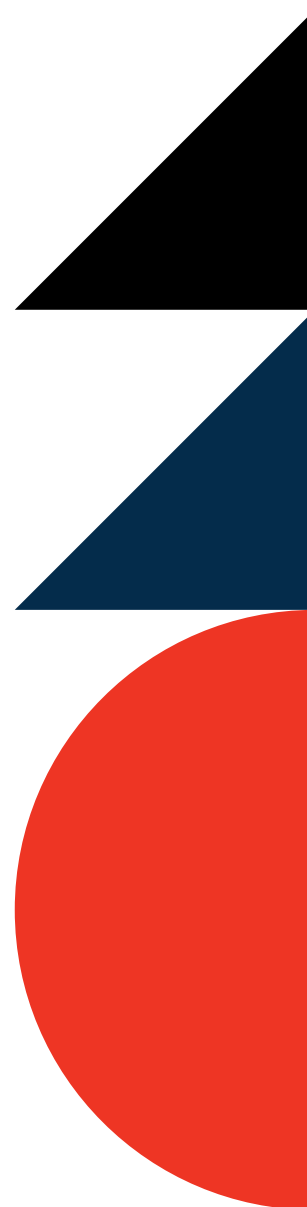
In the Transport of Dangerous Goods Department, the focus in 2023 was on completing the biennial revision of the dangerous goods regulations. However, the RID/ADR/ADN Joint Meeting in March 2024 still had to take various decisions before the RID Committee of Experts finally adopted all the amendments at its meeting in May 2024.

COMMON DANGEROUS GOODS PROVISIONS FOR LAND TRANSPORT

The RID/ADR/ADN Joint Meeting of the RID Committee of Experts of OTIF and the Working Party on the Transport of Dangerous Goods (WP.15) of the Transport Division of the United Nations Economic Commission for Europe (UNECE) develops harmonised dangerous goods regulations for rail, road and inland waterway transport. The Secretariat for this meeting is provided by OTIF's Transport of Dangerous Goods Department in cooperation with the Secretariat of the UNECE.

In 2023, the Joint Meeting held a one-week hybrid session, which enabled both in-person and remote participation, and a one-and-a-half-week in-person session.

The Joint Meeting dealt mainly with the harmonisation of RID, ADR and ADN with the 23rd revised edition of the UN Recommendations on the Transport of Dangerous Goods. The aim of harmonisation with the UN Recommendations on the Transport of Dangerous Goods is to have the same rules, as far as possible, for all modes of transport in order to facilitate the intermodal transport of dangerous goods. This work was prepared by a two-day ad hoc working group organised jointly by the UNECE and OTIF secretariats. Among the numerous amendments that resulted from this process, the following should be highlighted:



Inclusion of provisions for the carriage of sodium-ion batteries

Sodium-ion batteries are a cost-effective alternative to lithium-ion batteries because the raw material sodium is available in almost unlimited quantities. Although they have a lower energy density and a lower power output than lithium-ion batteries, they are safer because they can be carried in a deep-discharged state, which has a significant influence on the heat release rate and thus on the thermal stability of a battery during transport.

In connection with the inclusion of provisions for the carriage of sodium-ion batteries, two new UN numbers have been provided and the previous UN number 3292 is limited to batteries containing sodium or sodium alloys. Basic requirements for sodium-ion batteries have been included in the classification provisions of Part 2. In principle, all special provisions, packing instructions and marking and labelling provisions that apply to lithium batteries also apply to sodium-ion batteries. However, a new special provision has also been included, which takes account of the lower risk posed by sodium-ion batteries and sets out the conditions under which the other provisions of RID/ADR/ADN do not have to be applied. Testing requirements for sodium-ion cells and batteries are set out in the Manual of Tests and Criteria.

In this case, the two-year revision cycle of RID proved to be too long, so a multilateral special agreement was initiated to cover the period until entry into force on 1 January 2025 in order to create a uniform legal basis for the transport requirements for these batteries in various RID Contracting States.



Vehicles powered by batteries

One area where significant innovation has occurred, particularly through the use of lithium-ion batteries, includes personal mobility devices, such as e-bikes, e-scooters, e-skateboards and other light vehicles. These light vehicles are usually packed in boxes and shipped by manufacturers and distribution centres.

The new UN numbers 3556, 3557 and 3558 have been added for vehicles powered by lithium-ion batteries, lithium-metal batteries or sodium-ion batteries. For carriage, parts of the vehicle may be removed from the frame so that they fit into the packaging better. The exception to this is the battery, which must remain in the framework of the vehicle. These vehicles are not subject to the marking and labelling provisions of Chapter 5.2 if they are not completely enclosed in packagings that prevent easy identification. A new packing instruction also permits packagings that have not been type-tested and sets out requirements for unpackaged transport. The former UN number 3171 now only applies to vehicles and equipment powered by wet batteries, batteries containing sodium or batteries containing sodium alloys and carried with these batteries installed.

Disilane

Disilane is a pyrophoric liquefied gas under pressure which is spontaneously flammable in air. This gas, which belongs to the group of silicon hydrogens, is used in industry to coat products with silicon and to clean silicon-containing wafers (base plate for electronic components). This substance is currently carried under the collective entry UN 3161 Liquefied gas, flammable, n.o.s. However, this collective entry does not take into account the pyrophoric properties of disilane, which is particularly important for air transport, as pyrophoric substances may not be carried in either passenger or cargo aircraft.

Disilane has been assigned the new UN number 3553, which is valid worldwide. Packing instruction P 200, which applies to gases, requires gas-tight closures for the valve openings of pressure receptacles.

Articles containing gallium

Gallium is suitable as a substitute for mercury in many applications. Replacement products for products containing mercury help to reduce harmful mercury emissions. For gallium in manufactured articles, the new UN number 3554 will be included in the dangerous goods regulations, which will be assigned the same transport provisions that currently apply to UN 3506 Mercury in manufactured articles.

Fire suppression devices that contain a pyrotechnic material

Aerosol extinguishing systems offer significant advantages over traditional extinguishing systems, including improvements in space and weight. Aerosol systems are also being used in areas where fire protection was previously considered to be prohibitively expensive. They are also preferred because compared to other fire suppression alternatives, they do not have environmental or safety disadvantages in occupied spaces.

These devices are already being used in various means of transport, electrical operating rooms, server rooms and data centres, and in dangerous goods storage facilities. Because they are particularly effective in combating lithium battery fires, they are also used in battery storage systems (e.g. UN 3536) and as an additional safety device in packagings in which lithium batteries, especially damaged or defective batteries, are carried. Some electric vehicle manufacturers are also considering using them in e-cars.

These devices are usually activated by a pyrotechnic substance, which disperses a fire extinguishing agent (or aerosol). Two new UN numbers have been included for fire suppression dispersing devices. UN number 0514 applies to articles meeting the criteria for Division 1.4, Compatibility Group S, UN number 3559 to articles meeting the exclusion criteria for Class 1. The new special provision 407 specifies which of the two UN numbers is to be used in each case. For example, UN number 3559, which is assigned to Class 9, may only be used with the approval of the competent authority of the country of manufacture, whereby it must be demonstrated that the extinguishing agent can be used safely in normally used rooms.

Extended use of recycled plastics material

In order to take account of global initiatives to limit the negative impact of human activities on the environment (e.g. the European Commission's "Green Deal" and the United Nations goals relating to the circular economy and sustainable development), the possibility of using recycled plastics material in the manufacture of dangerous goods packagings should be further extended. The definition of "recycled plastics" has been amended so that not only plastics from industrial packaging whose origin and use are very well known, but also plastics from packaging whose origin and use are less well known, e.g. from household collections, may be used.

Owing to the stringent requirements for dangerous goods packagings, particular emphasis is placed on ensuring that each batch of recycled plastics material has a homogeneous composition with properties within the prescribed specification range. A quality assurance programme must record which plastics the recycled plastics material was obtained from. It must also be known how and for which filling substances these plastics were previously used.

In addition to harmonisation with the UN Model Regulations, the Joint Meeting discussed several issues that only concern land transport. The following points are worth highlighting:

Carriage of molten aluminium of UN number 3257

Aluminium is carried from smelters to processing plants, particularly those of the automotive industry, in a molten state in order to avoid having to reheat the cooled metal, which is energy-intensive. The melting point of aluminium is about 660°C. Insulated containers – so-called vats – with a refractory lining are used for transport. Because of its high temperature, molten aluminium is considered as dangerous goods. It is assigned to UN number 3257 Elevated temperature liquid, n.o.s. of Class 9. It is currently carried in accordance with special provision VC 3 in RID/ADR 7.3.3.1 under the conditions laid down by the competent authority of the country of origin.

In RID/ADR 2025, provisions for the construction, testing and marking of vats in which molten aluminium is filled have now been included in a special provision for carriage in bulk. For example, the insulation of the vats must ensure that the surface temperature does not exceed 130°C. It must also be impossible for people to touch the vats under normal conditions of carriage. Road vehicles used for the carriage of vats must be fitted with a vehicle stability function.

Carriage of waste

The Joint Meeting continued its work to achieve certain relaxations for various provisions that cannot easily be complied with in the carriage of hazardous waste:

– Carriage of waste containing asbestos

The carriage in bulk of waste containing asbestos assigned to UN number 2212 (Asbestos, amphibole) or 2590 (Asbestos, chrysotile) is not currently permitted. If asbestos fibres can be released during transport, only carriage in packagings is currently permitted.

Large quantities of solid waste containing asbestos are produced at a range of construction and civil engineering sites (e.g. during road milling work, demolition or renovation of buildings or the removal of soil contaminated with asbestos). The quantities to be disposed of and the size of the individual pieces make it very difficult to apply the packing instructions. In addition, the authorities responsible for occupational health and safety have determined that the risk of exposure due to the release of carcinogenic dust or carcinogenic fibres is higher when filling RID/ADR-compliant packagings than when loading in bulk.

The 2025 edition of RID/ADR now authorises the carriage of waste containing asbestos in bulk under certain conditions. So-called container bags, which consist of an inner and an outer bag, must be placed in the load compartment. While the inner bag must be made dust-tight, the task of the outer bag is to ensure sufficient resistance to the shocks and stresses that occur in normal conditions of transport. After loading and sealing, the outer surfaces of the container bag must be decontaminated.



– Carriage of waste in inner packagings packed together in an outer packaging

Combination packagings consist of an outer packaging and one or more inner packagings. Normally, outer packagings must be subjected to the tests in Chapter 6.1 together with the intended inner packagings. Under certain conditions, inner packagings that have not previously been tested with the outer packaging may also be placed in an outer packaging.

In the case of original products, the testing of combination packagings is not difficult and represents a reasonable financial outlay in view of the quantities of substances to be carried. In waste collection however, there is in most cases only an inner packaging and no outer packaging. The wide variety of these inner packagings is far greater than the regulations allow. For safety reasons, it is also not realistic to transfer waste into inner packagings that have already been tested.

The 2025 edition of RID/ADR now includes certain relaxations for the carriage of waste with regard to the use of various inner packagings in an outer packaging. The outer packaging must be tested for packing group I and must contain sufficient cushioning material to prevent movement of the inner packagings. If easily breakable inner packagings are used, absorbent material must also be used in the outer packaging. For outer packagings made of polyethylene, proof of chemical compatibility is deemed to have been provided if the packaging has been tested with all standard liquids. Placing the inner packagings into the outer packaging must be carried out by trained and competent personnel. The transport document must indicate that this relaxation has been applied. These relaxations may not be applied for wastes of classes 1, 2, 6.2 and 7.

Emergency transport of dangerous goods

Hazardous waste is regularly found in public places and must be taken to a suitable safe place. These can be, for example, drug waste, fireworks or gas cylinders. In these cases, the dangerous goods regulations cannot be complied with because it is not possible to classify the dangerous goods on site and the packagings found no longer comply with the regulations.

The Joint Meeting agreed that the provisions of 1.1.3.1 (d) and (e) (carriage undertaken by the competent authorities for the emergency response and emergency transport intended to save human lives or protect the environment) allow public bodies (e.g. police, law enforcement authorities, customs) to carry dangerous goods as part of their duties to protect the public. It also agreed that the current provisions in RID/ADR/ADN are clear enough and that there is no need for an additional amendment.

Holding time for the carriage of tanks with refrigerated liquefied gases.

The holding time defines the period between filling the tank with refrigerated liquefied gases and the time at which the pressure has risen due to heat influx to the lowest set pressure of the pressure relief devices. The question had arisen as to whether the provisions for determining the holding time for refrigerated liquefied gases only apply to full tanks or also to empty, uncleaned tanks. This is because it is very difficult to determine a holding time if only a limited amount of refrigerated liquefied gas remains in an empty, uncleaned tank.

However, even when carrying uncleaned tanks containing residues of refrigerated liquefied gases, the pressure relief devices are repeatedly activated because the residual pressure in the tanks does not decrease sufficiently during empty runs. In railway operations, such incidents can lead to line closures and intervention by the fire brigade. These problems do not occur in road transport, as the driver can take the measures necessary to reduce the pressure.

RID/ADR 2025 now includes a provision that the pressure in tanks with residues of refrigerated liquefied gases must be reduced to such an extent that the pressure relief devices cannot be activated during transport. In guidance published by the European Industrial Gases Association, which is already referred to in RID/ADR, a test protocol for tank-wagons, portable tanks and tank-containers was also introduced, in which, among other things, product-related residual pressures are listed for the carriage of empty tanks.

Conclusion

The amendments described above do not provide an exhaustive overview of the activities of the Transport of Dangerous Goods Department in connection with the Joint Meeting, but summarise the most important technological developments that have the biggest impact on the regulations. This makes clear the extent to which the provisions have a direct link to dynamic technological developments in the sector.



RID COMMITTEE OF EXPERTS AND ITS STANDING WORKING GROUP

The RID Committee of Experts is one of the most important organs of OTIF, as the provisions for the international carriage of dangerous goods by rail are continuously amended, which leads every two years to a completely new edition of RID. As the provisions of RID must also be applied to domestic transport in the EU Member States in accordance with EU Directive 2008/68 on the inland transport of dangerous goods, amendments to RID lead to changes in national law. In this respect, OTIF plays a leading role.

The technical discussion takes place in the RID Committee of Experts' standing working group, which meets once a year. As a rule, the RID Committee of Experts only meets every two years in order to adopt the decisions prepared by the standing working group.

The 16th session of the standing working group was held in London from 20 to 23 November 2023.

Harmonisation with the 23rd edition of the UN Recommendations on the Transport of Dangerous Goods

On the basis of a document prepared by the Transport of Dangerous Goods Department, the standing working group approved all the texts adopted by the Joint Meeting in 2022 and 2023 and by itself in November 2022. It also carried over all the other amendments that had been adopted for ADR two weeks previously by the UNECE Working Party on the Transport of Dangerous Goods (WP.15), insofar as they were relevant to rail transport.

Publication of interpretations of RID

The RID Committee of Experts' standing working group had previously decided to publish interpretations of various provisions of RID on OTIF's website in future. This is particularly important in cases where answering questions of interpretation does not lead to amendment of the regulations. The standing working group approved an interpretation prepared by the Transport of Dangerous Goods Department to the effect that the provisions for the affixing of placards also apply to swap bodies.

Update of various UIC leaflets and International Railway Solutions

The International Union of Railways (UIC) publishes so-called UIC leaflets that used to act as predominantly binding standards when railway undertakings were still state undertakings. These UIC leaflets were gradually transposed into so-called International Railway Solutions (IRS), which serve partly as standards and partly as best practices.

RID refers in various places to UIC leaflets and IRS. The standing working group examined two IRS that have replaced older UIC leaflets and the amendments made to one IRS and adopted an adaptation of the references to the latest editions of the IRS.

Recommendations of the Joint Coordinating Group of Experts

In various places, RID contains special technical requirements for tank-wagons that carry dangerous goods. The requirements concerned are as follows:

- a general provision whereby tank-wagons and battery-wagons must be capable of withstanding, under the maximum permissible load, the stresses which occur during carriage by rail;
- a minimum distance of 300 mm between the headstock plane and the most protruding point at the shell extremity;
- a minimum dynamic energy absorption capacity of 70 kJ for buffers of tank-wagons and battery-wagons for the carriage of gases;
- devices to absorb energy of at least 800 kJ at each end of the wagon on tank-wagons for certain substances carried in the liquid state, and for gases and on battery-wagons;
- measures to prevent the overriding of buffers or to limit damage in the event of overriding of buffers;
- the possibility of fitting wagons for the carriage of dangerous goods with derailment detection devices.

The standing working group agreed with the proposals of the Joint Coordinating Group of Experts (JCGE) to transpose the above-mentioned technical vehicle provisions into OTIF's Uniform Technical Prescriptions (UTPs) for railway material intended to be used in international traffic and the Technical Specifications for Interoperability (TSIs) of the rail system in the European Union in order to facilitate assessment of the existing RID requirements by the assessing entities under the UTP or by the notified bodies under the TSI and to minimise duplication or inconsistencies in the assessment process (see also the section in this Annual Report on the work of the JCGE). This transposition will also facilitate future introduction of the digital automatic coupling (DAC) and other safety-relevant requirements. Only the high-level safety objectives will appear in RID and reference will be made to the UTPs in which the technical vehicle provisions previously contained in RID will appear in future.

As OTIF's Committee of Technical Experts and the European Commission's Committee on the Transport of Dangerous Goods and Railway Interoperability and Safety Committee (RISC), in addition to the RID Committee of Experts, will also have to agree to this restructuring, these amendments will only enter into force on 1 January 2027 at the same time as the amendments to the UTPs and TSIs.

National translations of RID

Various RID Contracting States have responded to the request from the Transport of Dangerous Goods Department to provide links to the national translations of RID so that they can be published on OTIF's website. OTIF's website now has links to the RID versions of Belgium, the Czech Republic, Denmark, Finland, Latvia, the Netherlands, Norway, Slovakia, Spain and Sweden.

COOPERATION WITH OTHER ORGANISATIONS

Harmonisation of OTIF's RID and OSJD's SMGS Annex 2

For a number of years, the Secretariat of OTIF has been making successful efforts to press ahead with the harmonisation of RID and SMGS Annex 2, which is applied in the Member States of OSJD (Organisation for Cooperation between Railways). Apart from some European states, the majority of OSJD Member States are Asian. On the basis of the 2023 amendments to RID, SMGS Annex 2 was also amended and the amended version entered into force on 1 July 2023. Decisions by the Joint Meeting and the RID Committee of Experts' standing working group with regard to the 2025 edition of RID were also discussed in the relevant OSJD bodies so that they can come into force on 1 July 2025.

UN Sub-Committee of Experts on the Transport of Dangerous Goods

The Transport of Dangerous Goods Department participated as an observer in the 62nd and 63rd sessions of the Sub-Committee of Experts on the Transport of Dangerous Goods of the United Nations Economic and Social Council (ECOSOC). The decisions adopted at these sessions will be reflected in the 24th revised edition of the UN Recommendations on the Transport of Dangerous Goods (UN Model Regulations) and will be included in the 2027 edition of RID in the context of harmonisation.

Following the inclusion of provisions for the construction and testing of portable tanks with shells made of fibre-reinforced plastics in the 2023 editions of the dangerous goods regulations for the individual modes of transport, work on provisions for service equipment made of fibre-reinforced plastics has now also been completed.

Work has also been finalised to supplement the previous volume limitation of pressure receptacles with a limitation of the product of pressure and volume (pV product). This pV product is intended to limit the physical and, indirectly, the chemical energy stored in a pressure receptacle and to contain potential incidents during carriage to a non-catastrophic level.

Provisions for hybrid batteries will also be included in the 2027 editions of the regulations for the individual modes of transport. These are batteries that contain both lithium-ion and sodium-ion cells connected in series. Hybrid batteries combine the advantages of the high energy density of lithium-ion batteries and the adaptability of sodium-ion batteries to low-temperature environments. Due to these advantages, it is anticipated that hybrid batteries will be widely used in the automotive and energy storage industry.

Hydrogen will play an important role in decarbonising energy systems. There are various possibilities for the carriage of hydrogen. These various possibilities must be reflected in the transport provisions. One of these is the chemical bonding of hydrogen molecules to carriers, which has the advantage that the chemically bonded hydrogen cannot be released under normal conditions of carriage. It is anticipated that this new transport option can be reflected in the 2027 editions of the regulations for the individual modes of transport.

Other organisations

The Transport of Dangerous Goods Department also took part in the meetings of the United Nations Economic Commission for Europe (UNECE) Working Party on the Transport of Dangerous Goods (WP.15), the European Commission's Group of Experts on the Transport of Dangerous Goods and the UIC Expert Group on the Transport of Dangerous Goods.

OVERVIEW OF MEETINGS HELD IN 2023

RID/ADR/ADN Joint Meeting
20 to 24 March (hybrid conference)

Ad hoc working group on harmonising
RID/ADR/ADN with the
UN Recommendations on the
Transport of Dangerous Goods
26 to 27 April

6th session of the Joint Coordinating
Group of Experts (together with the
TECH Department and the European
Commission)
6 September (hybrid conference)

RID/ADR/ADN Joint Meeting
19 to 27 September

16th session of the RID Committee of
Experts' standing working group
20 to 23 November

Joint Coordinating Group of Experts

The Joint Coordinating Group of Experts (JCGE) is an ad hoc working group that, through a coordinated process, offers advice or makes requests to:

- OTIF's RID Committee of Experts and Committee of Technical Experts, and
- the EU's Transport of Dangerous Goods (TDG) Committee and Railway Interoperability and Safety Committee (RISC).

The objective of the JCGE is to align the provisions of RID and the legislation relating to the interoperability and safety of railways, in particular UTPs/TSIs, and to make them more consistent with each other.

The JCGE held its 6th session in Berne on 6 September 2023 in the form of a hybrid meeting.

The main task of this meeting was to adopt recommendations for amendments to transfer technical vehicle requirements applicable to wagons for the carriage of dangerous goods, which were previously only included in RID, to the UTPs and the TSIs, and to retain only protective aims in RID. Any future proposal to modify the TSI provisions related to the transport of dangerous goods should be coordinated in the JCGE. The RID Committee of Experts would remain responsible for defining which construction requirements or wagon equipment are necessary for the carriage of particular substances.

Following the JCGE meeting, a letter was sent to the Chairs of the above-mentioned OTIF and EU committees setting out the recommendations of the 6th session.

It is imperative that the recommended amendments to RID, the UTPs and TSIs enter into force at the same time. The JCGE considered that amendments should enter into force on either 1 January 2025 or 1 January 2027. Further analysis of the time constraints and interdependence of the procedures of the committees led to the conclusion that the changes should take effect on 1 January 2027.



Promote safe Technical Interoperability

Bas LEERMAKERS

Head of Technical Interoperability Department

The Technical Interoperability Department deals with subjects in the scope of the ATMF UR and APTU UR (Appendices F and G to COTIF), which mainly concern the admission of vehicles to international traffic and their use in such traffic. The Department also deals with matters related to the future EST UR (Appendix H to COTIF) concerning the safe operation of trains in international traffic. The Technical Interoperability Department provides the secretariat of and substantive support to the Committee of Technical Experts (CTE) and its standing working group, WG Tech.


In 2023, the CTE held its 15th session and WG Tech its 49th to 51st sessions. All meetings were held in a hybrid format, which enabled physical or remote participation. The CTE and WG Tech drafted and adopted modifications to rules in the scope of the APTU and ATMF UR and continued preparations for the entry into force of the EST UR by developing its future annexes.

DEVELOPMENTS RELATED TO THE APTU UR

In accordance with its competences laid down in Article 20 of COTIF and the APTU UR, the CTE adopts Uniform Technical Prescriptions (UTPs). The UTPs are regularly modified to ensure continued adaptation to technical progress and to maintain equivalence with the corresponding Technical Specifications for Interoperability (TSIs) applied in the EU.

In 2023, the EU adopted modifications to most TSIs. In response, WG Tech started working on aligning the UTPs with the modified TSIs, starting with UTPs relevant to freight wagons. It will be proposed to the CTE in 2024 that it adopt the modified UTPs.

UTP abbreviation	Subject	Date of entry into force of latest version	Activities in 2023
UTP GEN-A	Essential requirements	1.12.2017	No
UTP GEN-B	Subsystems	1.6.2019	No
UTP GEN-C	Technical file	1.12.2017	No
UTP GEN-D	Assessment procedures (modules)	1.10.2012	No
UTP GEN-E	Assessing entity - qualifications and independence	1.1.2024	Modified by CTE
UTP GEN-G	Common safety method on risk evaluation and assessment (CSM RA)	1.1.2024	Modified by CTE
UTP WAG	Freight wagons	1.1.2022	Draft by WG Tech
UTP LOC&PAS	Locomotives and passenger rolling stock	1.1.2022	No
UTP NOI	Rolling stock noise	1.4.2021	Draft by WG Tech
UTP MARKING	Vehicle marking	1.4.2021	No
UTP PRM	Accessibility for persons with disabilities and persons with reduced mobility	1.1.2022	No
UTP TAF	Telematics applications for freight services	1.1.2024	Appendix I modified by CTE
UTP TCRC	Train composition and route compatibility checks	1.1.2022	Draft by WG Tech
UTP INF	Infrastructure	1.1.2022	No



Decisions by the CTE in 2023

Revision of the UTP GEN-E

In 2023, the CTE completely revised the UTP GEN-E concerning the qualifications and independence of assessing entities. The requirements of the UTP GEN-E apply to assessing entities that perform assessments for technical admissions in the scope of the ATMF UR. The UTP GEN-E should also be used by accreditation bodies and competent authorities when accrediting or designating assessing entities. If competent authorities themselves act as an assessing entity, they also have to comply with the UTP GEN-E.

Application of the UTP GEN-E ensures that the organisation, management and staff of assessing entities are sufficiently independent and qualified. This is important in terms of ensuring that all Contracting States can have confidence in the assessing entities and in the products and vehicles they assess. Assessing entities that comply with EU provisions are also deemed to comply with the UTP GEN-E. This means that assessment results and certificates produced by EU Notified Bodies are also accepted under COTIF rules.

The revised UTP applies from 1 January 2024. The previous version of the UTP GEN-E is repealed.

Revision of the UTP GEN-G

The UTP GEN-G concerning a common safety method on risk evaluation and assessment was amended by the CTE in 2023. The changes widen the scope to include risk assessments relating to safety management systems in the scope of the EST UR. In addition, several substantive and editorial modifications were made, but these do not affect the general principles. The risk management procedure has to be carried out in relation to significant changes to the rail system. This may for example be the case when vehicles are upgraded or renewed, or if their maintenance regime is changed significantly. Another example is the admission of new vehicles, where the CSM must be applied if a UTP concerning the vehicle so requires. The risk management procedure has to be carried out by the 'proposer' and is subject to independent assessment of its correct application and its results. The latter is the task of the CSM assessment body. The UTP GEN-G sets out criteria to be met by CSM assessment bodies in its Annex II.

The revised UTP applies from 1 January 2024 for the purposes of the APTU and ATMF UR, while for the EST UR, the UTP will only apply once the EST UR have entered into force. The revised UTP replaces the previous version of the UTP GEN-G.

Update of Appendix I to the UTP TAF

Appendix I to the UTP TAF contains references and introduces changes to technical documents which include software coding necessary for the exchange of information and the harmonised implementation of the TAF provisions. The CTE regularly updates Appendix I. In 2023, only Appendix I was modified, with an entry into force date of 1 January 2024. All other UTP TAF texts remain valid in the version that entered into force on 1 January 2023.

The work of WG TECH in 2023

WG Tech discussed and reviewed texts prepared by the Secretariat that aim to align the UTPs with the latest EU TSIs that entered into force in September 2023. WG Tech also drafted an application guide concerning the UTP LOC&PAS and an explanatory document for the UTP TCRC. All these texts will be submitted for consideration or adoption by the CTE in 2024.

UTP WAG

WG Tech drafted proposals to revise the UTP WAG. The proposed changes include provisions to facilitate combined transport, derailment detection and prevention functions and the mutual recognition of first admission for wagons with electrical or electronic equipment on board. The implementation rules were updated, so that it is clearer how the UTP applies to new wagons built to an existing design, or when existing wagons are upgraded or renewed. Furthermore, references to EU legislation were updated and specific implementing rules for Norway and the United Kingdom were included.

UTP Noise

WG Tech drafted proposals to revise the UTP Noise. The proposed changes include the addition of a method for the conformity assessment of brake blocks. In addition, references to EU legislation were updated and particular implementing rules for Norway and the Channel Tunnel were added. Implementation rules were modernised in a similar way to those of the UTP WAG.

UTP TCRC

WG Tech considered proposals to revise the UTP TCRC. The proposed changes keep the UTP aligned with legal developments in the EU. They include the addition of definitions and requirements related to combined transport and updated requirements related to checks for compatibility between vehicles and train detection systems.

Guidance and explanations

WG Tech prepared updates to the application guide concerning the UTP LOC&PAS and to the explanatory document for the UTP TCRC.

DEVELOPMENTS RELATED TO THE ATMF UR

Rules that are based on the ATMF UR

Title	Date of entry into force of latest version	Activities in 2023
Annex A to ATMF, concerning the rules for certification and auditing of Entities in Charge of Maintenance (ECM)	1.4.2021	No
Annex B to ATMF, rules, guidelines and explanations concerning derogations	1.1.2023	No
Uniform formats of certificates which verify the technical admission of a vehicle or of a type of vehicle according to Article 12 § 1	1.12.2012	No
Specifications for vehicle registers in accordance with Article 13 of ATMF	1.4.2021	No

Revision of the ATMF UR concerning ECM

In July 2022, the CTE proposed wording to revise Article 3a § 5 and Article 15 § 2 of the ATMF UR concerning entities in charge of maintenance and to modify the Explanatory Report accordingly. In October 2022, the Revision Committee adopted the proposed modifications using the written procedure. The amendments to the ATMF UR entered into force on 1 November 2023. The OTIF Secretariat updated the unofficial consolidated version of COTIF for this purpose, which is available on OTIF's website.

DEVELOPMENTS RELATED TO THE EST UR

In September 2018, the 13th session of the General Assembly adopted the EST UR. The EST UR set out rules for the safe operation of trains in international traffic. They provide general principles and responsibilities for the cross-border operation of trains for OTIF Member States that already fully apply the APTU and ATMF UR. The rules are compatible with the provisions of the EU on safety of the railway system. Entry into force of the EST UR is pending approval by two-thirds of the OTIF Member States. When adopting the EST UR, the General Assembly recommended that the CTE prepare proposals for annexes to the EST UR before the EST UR enter into force. The CTE could then adopt the proposals without delay after the EST UR enter into force.



List of draft Annexes to the EST UR

Title	Subject	Draft text
Annex A	Common Safety Method for safety management system requirements	Reviewed by the CTE in 2022
Annex B	Common Safety Method on monitoring	Reviewed by the CTE in 2022
Annex C	Harmonised procedures for issuing Safety Certificates	Reviewed by the CTE in 2023
Annex D	Common Safety Method on supervision	Drafted by WG Tech in 2023

In 2023, the CTE reviewed texts for Annex C to the EST UR, concerning a harmonised procedure for issuing safety certificates. WG Tech drafted a proposal for Annex D to the future EST UR to be applied by the supervision authorities when supervising railway undertakings in accordance with Article 6 of the EST UR. The CTE will review the draft Annex D in 2024.

MONITORING AND ASSESSING IMPLEMENTATION OF THE APTU AND ATMF UNIFORM RULES

In 2021, the CTE began monitoring and assessing implementation of the APTU and ATMF UR by OTIF members. It agreed on a stepped approach. In 2023, the CTE accepted proposals made by the Secretariat concerning the second step in monitoring and assessing implementation of the APTU and ATMF UR. This involved four questionnaires addressing actors in the railway sector, assessing entities and competent authorities:

- Part 1 – Use of the vehicles.
- Part 2 – The work of assessing entities.
- Part 3 – The work of competent authorities.
- Part 4 – Admission of vehicles to international traffic and to domestic traffic.

After the CTE session, the OTIF Secretariat sent out the questionnaires and contacted the entities concerned to discuss the topics bilaterally, to improve its understanding of the situation. The Secretariat summarised its finding in the form of a progress report to be discussed by the CTE in 2024.

COOPERATION AND DISSEMINATION

The Technical Interoperability Department fostered relations with several other organisations and associations and explained the relevance of its work at several meetings external to OTIF.

Cooperation between the OTIF Secretariat, ERA and the European Commission's DG MOVE is based on the Administrative Arrangements of 2020. Within its scope, the Technical Interoperability Department continued to coordinate its activities closely with these two partners. It participated as an observer in ERA's work on the further development of TSIs. The objective of this participation is to ascertain whether the proposals are compatible with COTIF, and to ensure that they would facilitate interoperability between the EU and non-EU Contracting States. Furthermore, it also took part as an observer in meetings of the European Union's Railway Interoperability and Safety Committee (RISC) and its preparatory expert group meetings. RISC is where the EU Member States meet with the European Commission to give their opinion on proposals for EU legislation.

The Technical Interoperability Department fostered its relations with the Organisation for Cooperation between Railways (OSJD) by attending its 5th Commission and by welcoming an OSJD representative to the respective OTIF meetings.

OVERVIEW OF MEETINGS HELD IN 2023

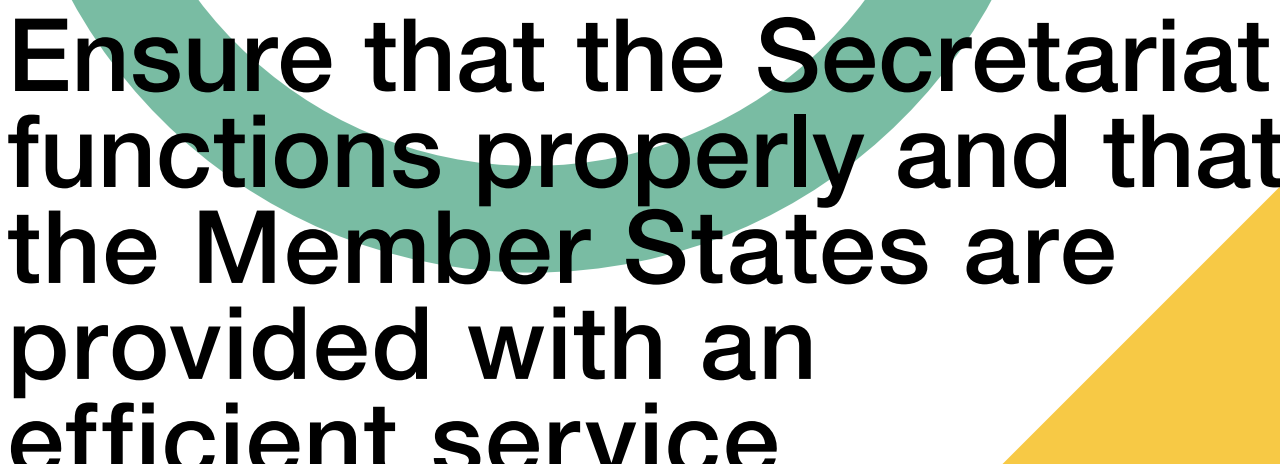
15th session of the Committee of Technical Experts
13 and 14 June, Bern

49th session of the working group Technology
15 June, Bern

6th session of the Joint Coordinating Group of Experts (together with the RID Department and the European Commission)
6 September, Bern

50th session of the working group Technology
7 and 8 September, Gümliigen (Bern)

51st session of the working group Technology
14 and 15 November, London



Ensure that the Secretariat functions properly and that the Member States are provided with an efficient service

Lunesterline ANDRIAMAHATAHITRY
Head of Administration and Finance Department


The part of the 2022-2023 work programme concerning the Administration and Finance Department, which was adopted at the 135th session of the Administrative Committee, sets out the Department's objectives in terms of finance and human resources management, the renovation of the headquarters and preparations for the entry into force of the Luxembourg Protocol.

Overall, the objectives planned for 2023 were achieved and they are described in more detail in the following sections.

CONTROLLING THE BUDGET AND ADAPTING HUMAN RESOURCES

Maintain and control the recurrent OTIF budget and the capital expenditure for the renovation project within the ceilings approved by the 15th General Assembly

At its 15th session, the General Assembly set the budget framework for the 2022-2027 period. The annual ceiling is CHF 4.2 million for recurring expenditure and a total of CHF 7.4 million for expenditure on the project to renovate the headquarters and the project for the temporary relocation of the Secretariat. The budget for 2023 approved by the Administrative Committee complies with the ceilings of expenditure set by the General Assembly.

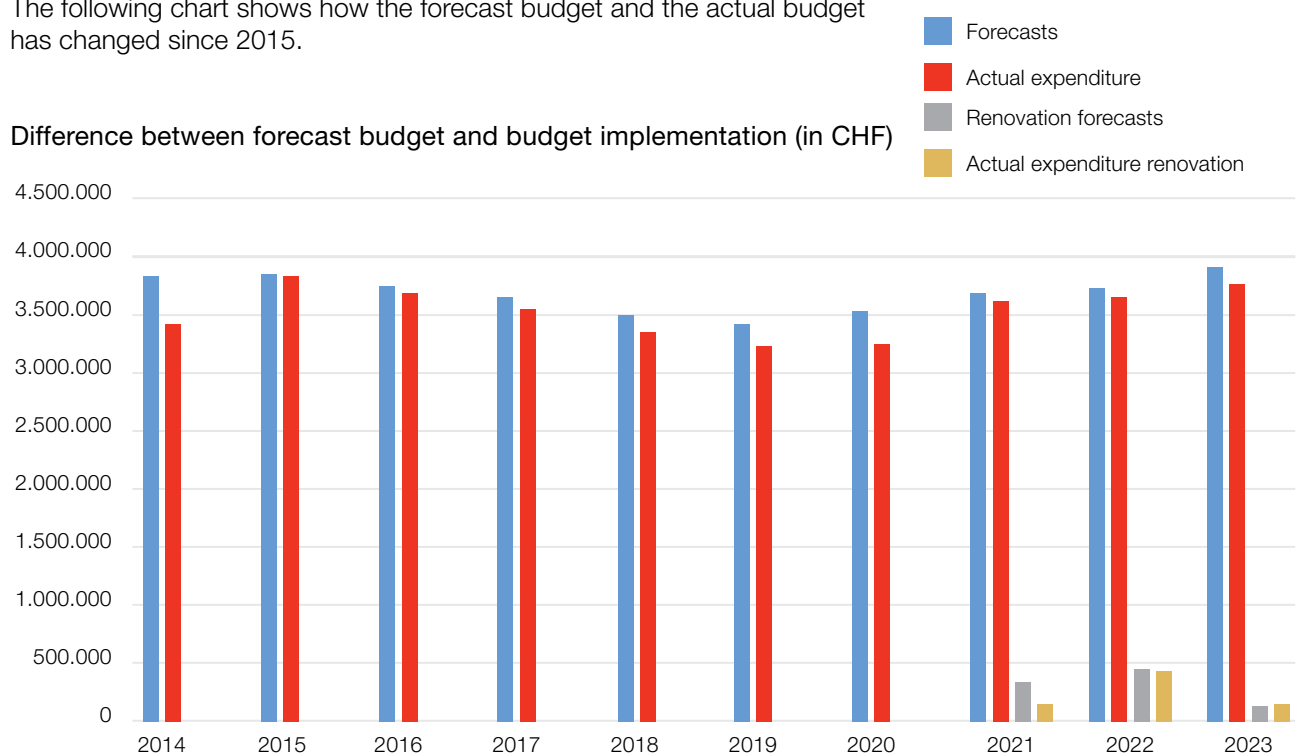



Budget performance

For 2023, the Administrative Committee approved a budget of CHF 3,873,780 for recurring expenditure and CHF 120,000 for the temporary relocation of the Secretariat, i.e. a total estimated budget of CHF 3,993,780.

At the end of the 2023 financial year, the Organisation's expenditure amounted to around CHF 3,791,231, which corresponds to a budget implementation rate of just over 97%.

The following chart shows how the forecast budget and the actual budget has changed since 2015.





Implement the results of the human resources study

The study on human resources was completed at the end of July 2022 and the final report was submitted in August 2022.

At the 137th session of the Administrative Committee in May 2023, the Secretary General presented the conclusions of the study.

With regard to phase I of the study on social benefits, no urgent action is required. However, as the staff are the Organisation's strong point, it is vital that OTIF remains an attractive employer. It is therefore necessary to invest now in highly qualified and motivated staff. Otherwise, there is a major risk of losing excellent employees.

In 2023, exceptionally, two thirds of staff benefited from a promotion or other salary measures.

Phase I of the study also recommended the revision (modernisation) of the Staff Regulations and other internal OTIF directives to reflect important current developments in society, such as parental leave, gender recognition and the diversity of family structures.


At its 138th session, the Administrative Committee approved the setting up of a project team and the proposed timetable for the revision and modernisation of the Staff Regulations, which takes into account the increased workload expected in 2024. Revision of the Staff Regulations is included in the 2024-2025 Work Programme.

In phase II of the study, recommendations were made on the organisation of OTIF, cooperation, workload planning, the Secretary General and leadership, the attractiveness of posts, digitalisation of workflows, tasks, responsibilities and policies.

The recommendations made on the organisation of OTIF, cooperation and workload planning have been partially implemented.

In terms of workload planning, the most visible result has been the reduction in untaken leave. After three years of uninterrupted increase in 2019, 2020 and 2021, the number of days of untaken leave has decreased since 2022 and this trend continued in 2023.

One way of increasing resources when there is an excessive workload, which was mentioned in the study, was the possibility of using trainees.



At its 137th session, the Administrative Committee approved proposals to modify and extend the current expert training programme to include student internships. There is now a legal framework for welcoming student trainees to OTIF.

Offering internships to students would also enable the OTIF Secretariat to raise awareness of the Organisation, improve its attractiveness and make contact with potential new recruits in the future.

PROJECT MANAGEMENT FOR THE RENOVATION OF THE HEADQUARTERS AND TEMPORARY RELOCATION OF THE SECRETARIAT

The renovation project and the temporary relocation of the Secretariat kept the Department very busy in 2023.

Progress in the headquarters renovation project

The renovation project is well under way and is in line with the planned timetable.

The meetings with the general planner enabled the strategy for the calls for tender to be finalised - definition of the work packages, list of bidders and timetable for the call for tender procedures - as well as the specifications for the calls for tender.

Several work packages were awarded to contractors in the second quarter of 2023.

Site preparation work was able to begin before the loan was obtained because of the mixed financing model (80% loan and 20% reserve fund). As a result, work to decontaminate the site and protect the works of art was begun and completed in 2023.

The application for a loan to renovate the headquarters and the preferential interest rate for the loan were approved by the host state in November 2023. The loan is repayable over 30 years in fixed annual instalments.

The draft loan agreement between the Foundation for Buildings for International Organisations (FIPOI), which represents the host state, and OTIF was finalised in December 2023. The requests for amendments to the standard loan agreement submitted by the Head of the Administration and Finance Department were approved in the final version.

The funds made available via the loan available from 2024 will enable the major work to begin in 2024.

It is important to note that from 2023 onwards, costs relating to the renovation of OTIF's headquarters will be capitalised in the financial statements and will no longer be considered as expenditure. They are now taken into account in the valuation of the building being renovated.

Temporary relocation of the OTIF Secretariat during the renovation work

All the staff of the Secretariat, and in particular the Administration and Finance Department, were also very busy with preparations for the move to the temporary premises in the first half of 2023.

In August 2023, the Secretariat moved to temporary office premises at Worbstrasse 201, 3073 Gümligen, just outside Berne.

The workload for preparing the move was enormous, including for other departments. Many documents had to be looked at, sorted, archived, and in some cases put aside and destroyed. However, the move also provided the impetus to tidy up and get rid of old clutter.

IT security, prevention of data loss and ensuring seamless electronic access to documents and the Internet, as well as moving the server, were challenging tasks that were carried out faultlessly.

In the temporary offices, some measures to adapt the space, such as laying a new floor covering, installing a partition wall, painting work and IT cabling had to be organised under considerable time pressure and then carried out on schedule.

However, thanks to meticulous preparations and detailed planning, the move went smoothly.

Due to the rapid progress of the relocation project, the initial preparatory work at the headquarters, such as site decontamination, test drilling and measures to protect the works of art, could then begin as early as September 2023.

After the move, it is now clear that the temporary premises were well chosen. The staff are satisfied, the offices are large enough and the location and public transport connections are ideal.

The rental contract for the temporary premises runs until 31 August 2025. The archives and some furniture are temporarily stored at other locations.



FURTHER PREPARATIONS FOR THE ENTRY INTO FORCE OF THE LUXEMBOURG PROTOCOL

The Luxembourg Protocol entered into force on 8 March 2024.

Two conditions had to be met for the Luxembourg Protocol to enter into force:

- The deposit of the fourth instrument of ratification, acceptance, approval or accession;
- The Secretariat (OTIF) had to deposit a certificate with the depositary (UNIDROIT) confirming that the International Registry is fully operational.

With the deposit of the fourth instrument of ratification by Spain in January 2023, the first condition for the Protocol's entry into force was met.

Numerous meetings took place throughout 2023 between the working group set up by the Preparatory Commission for the Luxembourg Protocol, made up of the Co-Chairs of the Preparatory Commission, OTIF, UNIDROIT and the Rail Working Group, and the company selected to implement the International Registry. These meetings ensured that the Registry would be operational on the date set for the Protocol's entry into force.

At the session of the Ratification Task Force in November 2023, OTIF submitted the draft agreement between OTIF and the Supervisory Authority of the International Rail Registry, as well as proposed amendments to the draft Statute and Rules of Procedure of the Supervisory Authority, before submitting them to the last session of the Preparatory Commission for approval.

In addition, as the future secretariat of the Supervisory Authority, the new international body established under the Protocol, OTIF set about organising the last session of the Preparatory Commission and the first session of the Supervisory Authority.

In order to ensure that the date of entry into force coincides with the inaugural session of the Supervisory Authority, the Secretary General of OTIF deposited the certificate confirming that the International Registry is fully operational with the Secretary General of UNIDROIT (the Depositary) at a ceremony on 8 March 2024, which therefore becomes the date of entry into force of the Luxembourg Protocol.

The provision of high-quality language services

Joana MEENKEN
Head of Translation Department

DELIVER GOOD QUALITY TRANSLATIONS ON TIME

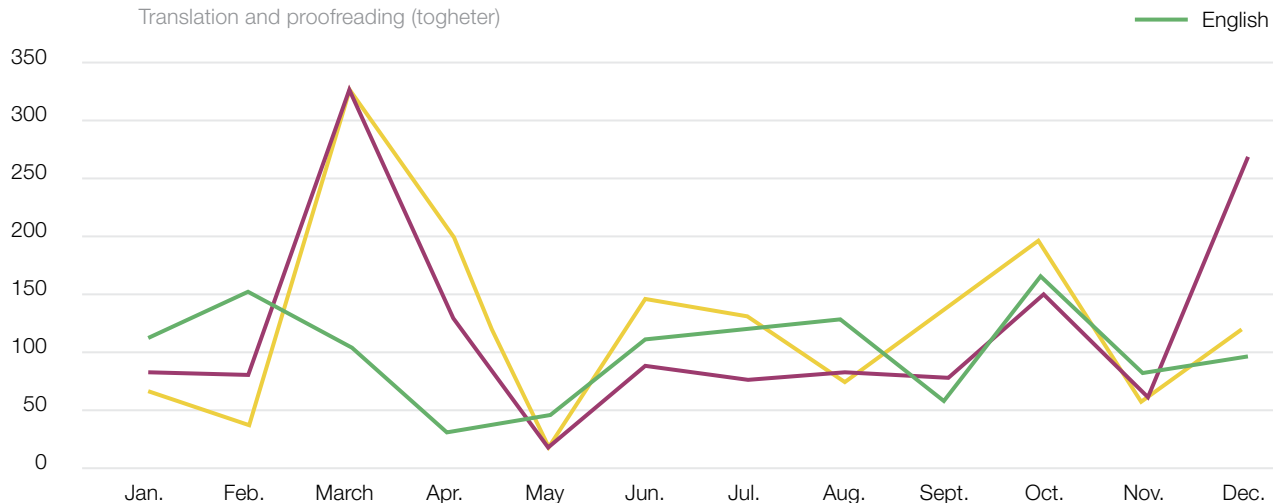
As in the previous year, 2023 can in some ways be described as a “normal” year for the Translation Department in terms of its main activities, with no particular unusual events. The proven external cooperation continued. Of particular note, however, was the finalisation of the Guidelines on gender-neutral language, which were published on OTIF’s website at the end of 2023 (see section 2).

Diagrammatic representation of workload

The development and distribution of page numbers¹ in comparison to the previous year is probably easiest to show in graphs or in specific figures. To this end, there is first a general overview of all three languages, followed by a separate presentation of the translated and proofread pages per language.

¹ As usual, standardised pages of 330 words were used for the calculation. In other organisations, this number varies between 250 and 350 words per standard page.

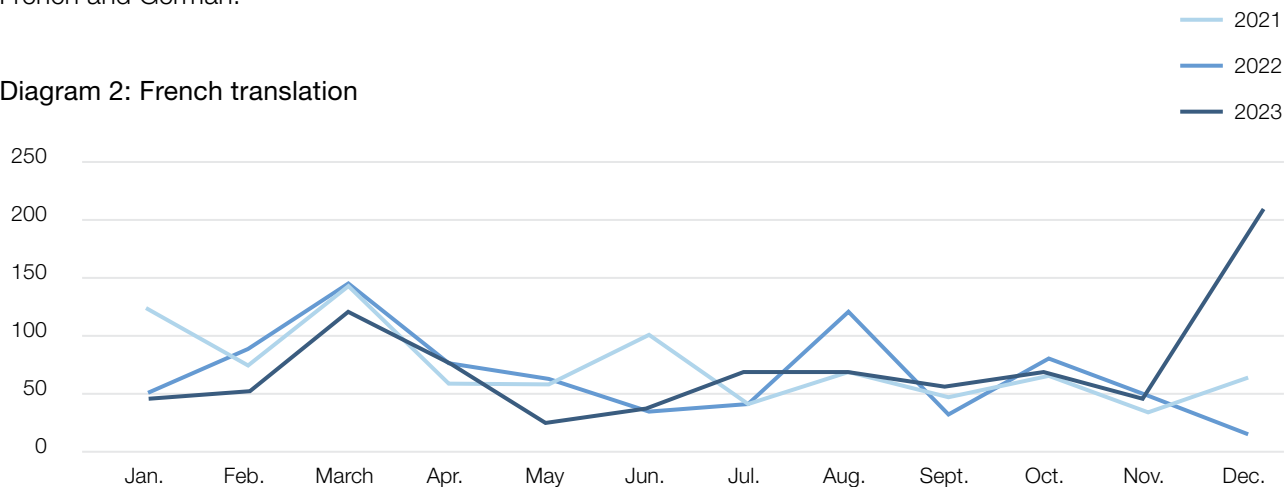
Diagram 1: General overview of all three languages in 2023



Source: own illustration. The number of pages spread over the year is shown here as well as in the following graphs.

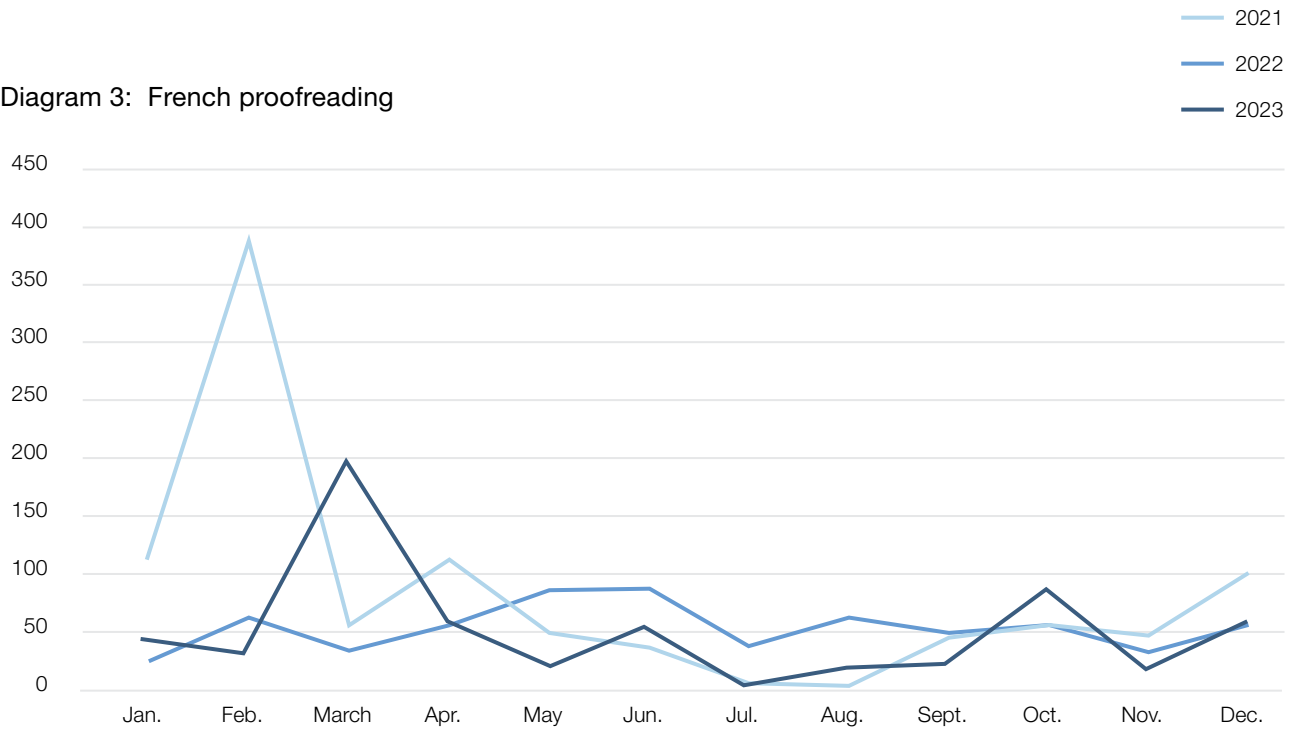
Overall, the picture here is similar to that of the two previous years; the peak at the beginning of the year (March) is even more pronounced for French and German.

Diagram 2: French translation



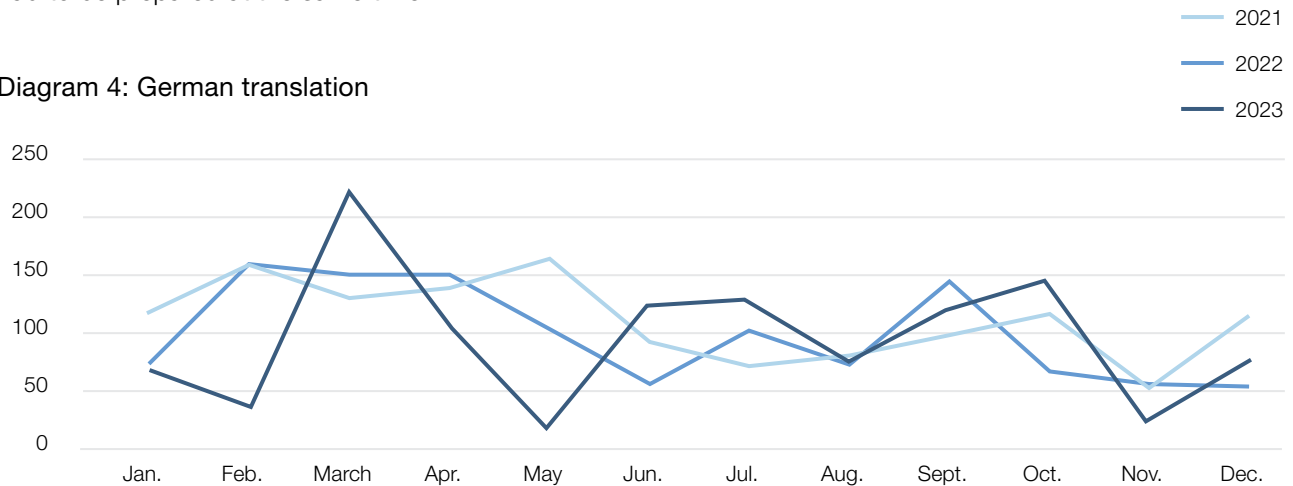
While the peaks in the rest of the year are flatter than in previous years, the steep increase in December is immediately noticeable. The reason for this was the internal translation into French of four very lengthy documents for the Luxembourg Protocol. As in every year, the peak in March is due to the preparation of the ad hoc Committee on Legal Affairs and International Cooperation (JUR) and the second batch of documents for the Committee of Technical Experts (CTE).

Diagram 3: French proofreading



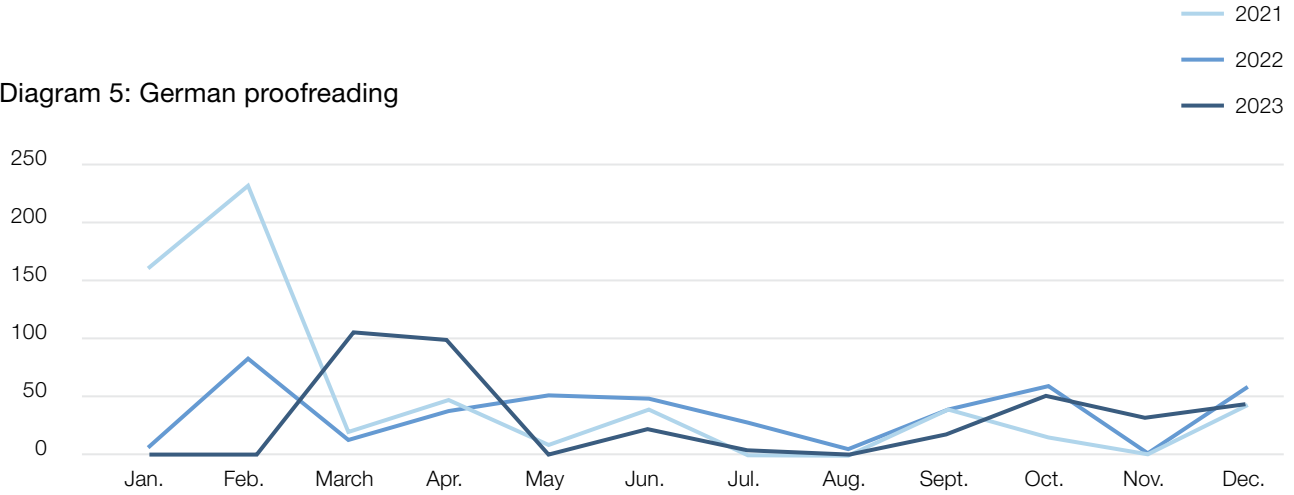
The peak in March is also clearly recognisable in terms of proofreading. In March, the JUR Committee, the Administrative Committee and the Bulletin had to be prepared at the same time.

Diagram 4: German translation



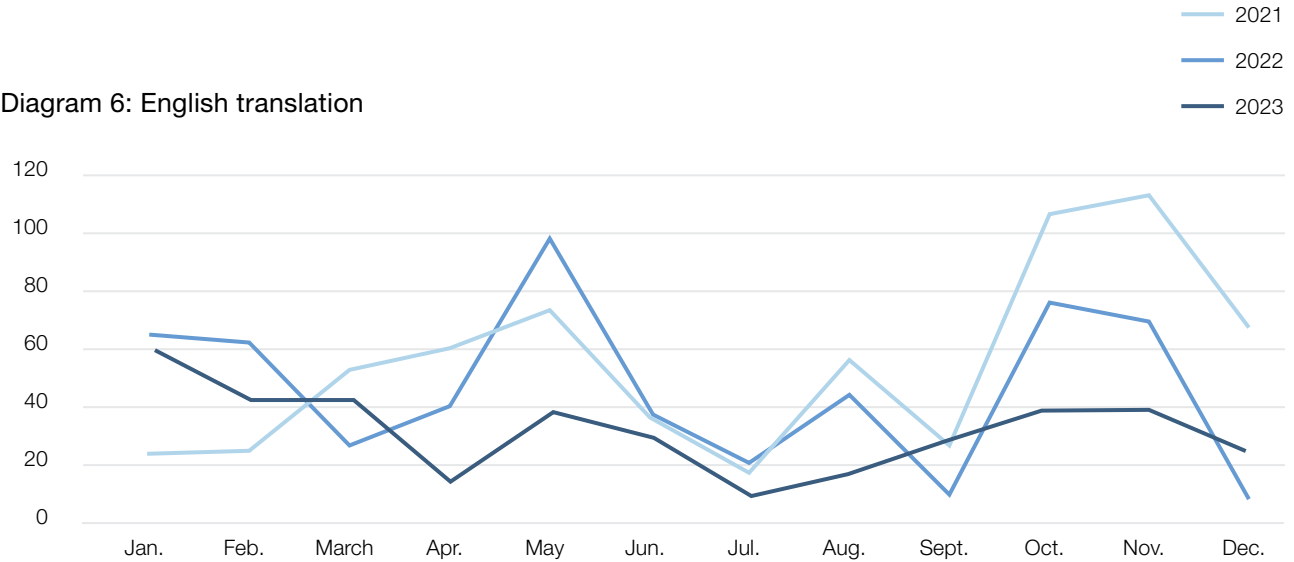
The peaks and troughs in 2023 were more extreme than in previous years. In March, work for the JUR Committee, the CTE Committee and the Administrative Committee were due, as well as the report of the Joint Meeting, particularly in German. The second peak in October was due to translations for the RID and Administration departments.

Diagram 5: German proofreading



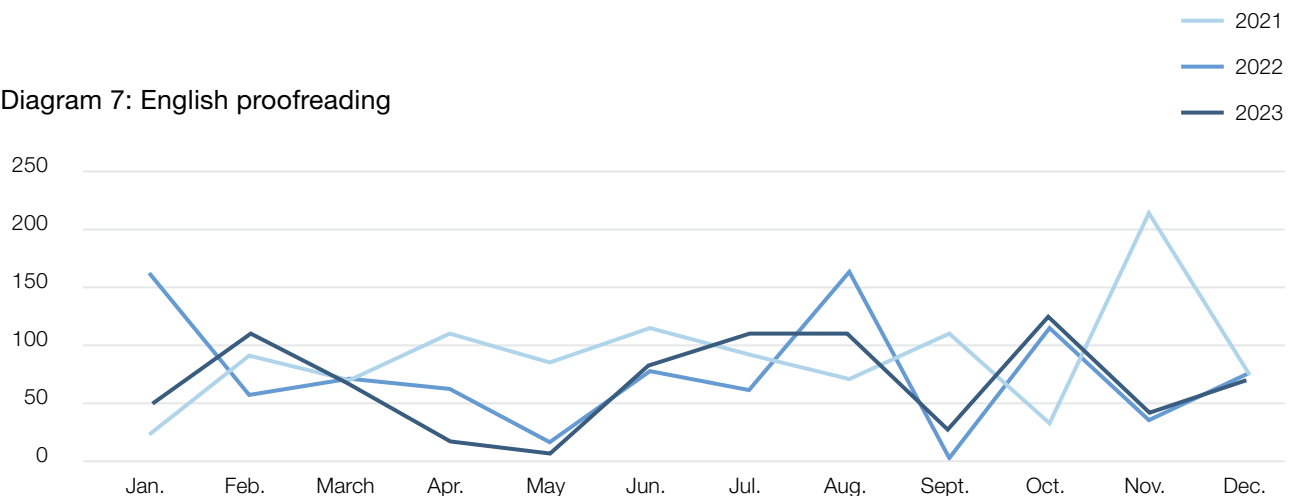
As all the original German texts are written exclusively by native speakers, they are not consistently proofread in German. Proofreading is limited to official publications such as the Bulletin (March, June, September, December), the work programme (October) and the Annual Report (April).

Diagram 6: English translation



The fact that the translation curve in English is flatter than in previous years is due to the fact that significantly more texts were written in English in the other departments. However, as the English translator is the only native speaker in the OTIF Secretariat, there is a considerable amount of proofreading work in English.

Diagram 7: English proofreading



In contrast to the other two languages, the highest workload in English is not at the beginning of the year, but in the second half. This is because in order to prepare various meetings, a number of texts drafted in English have to be proofread in November/December before they can be translated in January/February.

The curve is somewhat flatter than in previous years and the peaks and troughs are less pronounced. The peak in February was due to the preparation of the JUR Committee, the one between June and August to work requests from the Legal, Administration and Technical Interoperability Departments and the one in October was due to work requests from the Administration, RID and Technical Interoperability Departments.

Workload represented in figures

Following this pictorial representation, a comparison of the page numbers between 2020, 2021, 2022 and 2023, expressed in figures, is given below.

	FRENCH			GERMAN			ENGLISH		
	Translation	Proofreading	Total	Translation	Proofreading	Total	Translation	Proofreading	Total
2020	549	575	1124	898	347	1245	469	824	1293
2021	898	1004	1902	1351	557	1908	722	1096	1818
2022	844	620	1464	1193	443	1636	560	889	1449
2023	899	567	1466	1155	376	1531	386	822	1208

As a result of the workload in German and French, which remained stable and which was not evenly distributed throughout the year, the cooperation with external translators was continued so that they could continue to relieve the Translation Department appreciably during peak times. A total of 131 pages² (previous year 244) were outsourced for German and 178 pages (previous year 122) for French, 106 of which were for three of the Luxembourg Protocol documents mentioned above. In 2023, two Bulletin articles were also outsourced during the English translator's absence on annual leave.

Experience with the responsiveness and quality of outsourced translations continued to be positive in 2023. As a result in particular of the flexibility offered by this solution, and as a result of an analysis of the outsourcing spread over the year and the costs it entails, it was decided to keep this solution for the time being.

² German translations prepared by the Dangerous Goods Department are not included.

Percentage distribution based on the area of activity

In addition to the total number of pages, the distribution between OTIF's individual areas of activity might also be of interest. The following picture emerges:

	FRENCH				GERMAN				ENGLISH			
	Translation		Proofreading		Translation		Proofreading		Translation		Proofreading	
	2022	2023	2022	2023	2022	2023	2022	2023	2022	2023	2022	2023
ADMINISTRATION	20,3%	31,8%	13,9%	20,1%	21,7%	17%	12,5%	14%	22,2%	22,2%	11,7%	16,6 %
COMMUNICATION	1%	10,7%	37,4%	47,3%	4,3%	7,5%	42%	64,8%	8,7%	27,2%	1,5%	2,9 %
LAW	31,4%	32,3%	18,6%	24,4%	33%	32,6%	8,7%	12%	40,5%	19,8%	41,8%	47,9 %
RID	14,1%	5,5%	3,2%	1,1%	10,8	26,3%	0%	0%	27,8%	24,2%	2,7%	8,6 %
TECHNOLOGY	23,9%	17,3%	16,3%	6%	23%	16,2%	20,8%	9,2%	0%	1,8%	41,5%	23 %
OTHER	9,3%	2,5%	3,5%	0%	7,2%	0,4%	15,8%	0%	0,8%	4,8%	0,8%	1 %

The table above shows clearly that in all three languages in both 2022 and 2023, the most translation and proofreading work was carried out for the Legal Department.

TERMINOLOGY DATABASE AND EDITORIAL RULES

Apart from ongoing “routine tasks” (updates, additions and corrections to existing terminology entries, as well as the generation of new entries during the translation process) and minor structural adjustments to improve user-friendliness, there were no extensive terminological activities in 2023.

With regard to the second “long-term project”, OTIF's internal drafting rules (see the 2020-2021 Work Programme approved by the Administrative Committee in December 2019), Guidelines on gender-neutral language were developed in line with the decision³ taken at the 2nd session of the ad hoc Committee on Legal Affairs and International Cooperation. The [Guidelines](#) were noted at the 5th session of the ad hoc Committee and published on OTIF's website in December under “Media” > “Use of gender-neutral language”.

³ See document “OTIF-22001-JUR 2 Décisions 07.04.2022/Beschlüsse 07.04.2022/Decisions 07.04.2022”.

INTERPRETATION

In contrast to the previous two years, in which OTIF's multilingual conferences were still held in a hybrid format, with the exception of the CTE, all meetings were once again held in person. This also applied to the interpreting, most of which was again done from the booths on site. The only video conferencing platform that was still used in some cases was Zoom.

The following table contains a comparison of the number of conference days in OTIF's three working languages since 2019:

	2019	2020	2021	2022	2023
ENGLISH	22	15	19	20	20
GERMAN	16	11	19	19	26
FRENCH	16	11	19	19	19

The table paints a positive picture that is unchanged from the previous year with regard to English and French. In German, seven extra days were added, as OTIF provided the German cabin for the Joint Meeting in Geneva for the first time. As in the two previous years, all planned meetings took place in 2023. The difference of one conference day between the English and French booths is due to the fact that the meetings of the Joint Coordinating Group of Experts (JCGE) are only interpreted into English.



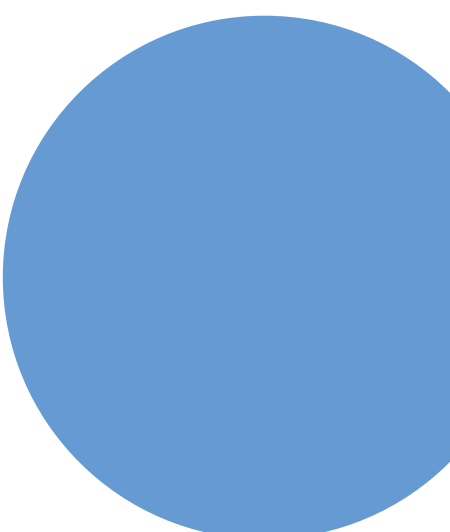
Increase awareness of OTIF

Sarah PUJOL
Communication Officer

2023 ended the two-year cycle of the new 2022-2023 work programme, and the Communication Department's objectives were to maintain the pace of OTIF publications and to boost digital tools.

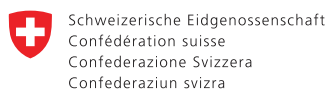
The Communication Department is a "support" department for the operational departments of OTIF. Among other things, it is responsible for various tasks in connection with organising events, coordinating editorial projects and publishing documents on OTIF's website on behalf of the other departments.

The Communication Department also serves the public. It regularly responds to external requests, mainly from researchers and legal practitioners, concerning the Organisation's archives. In view of the fact that the OTIF Secretariat moved to temporary premises and the Organisation's archives were stored in a purpose-built furniture repository, the Communication Department team carried out a major, targeted sorting exercise to determine which of OTIF's archives needed to be moved to the temporary premises in order to be able to continue to respond to external requests and provide copies of the documents and publications requested.



In 2023, OTIF celebrated 130 years since the entry into force of the International Convention on the Carriage of Goods by Rail (CIM) and 95 years since the entry into force of the International Convention on the Carriage of Passengers and Luggage by Rail (CIV).

At the initiative of the OTIF Secretariat's Legal Department, the Communication Department organised an anniversary event in Berne, with the support of the Swiss Confederation's Federal Department of Foreign Affairs and Federal Office of Transport, and Bernmobil.



Federal Office of Transport FOT
Federal Department of Foreign Affairs FDFA

BERNMOBIL

Throughout this day of round tables entitled “The CIM UR and the CIV UR: feedback and prospects”, the Uniform Rules concerning contracts for the international carriage of goods and passengers by rail were at the centre of discussions: do the current versions of these Uniform Rules still correspond to current reality and requirements? [Programme and speakers](#). More than 70 people were present to take part in this exciting day, which ended with a cocktail reception. [Photos](#).

OTIF'S PUBLICATIONS

The Bulletin of International Carriage by Rail

The Bulletin is a publication provided for in Article 23 of the Convention concerning International Carriage by Rail (COTIF). It reports on the activities of OTIF's bodies and the Secretariat. It contains information relevant to the application of COTIF. It also contains articles on leading railway law issues of the day. The Bulletin is also published on OTIF's website.

In 2023, four editions of the Bulletin were published.

Press releases

Press releases reflect the statements and activity that the Organisation wishes to make public.

In 2023, 16 press releases were published:

18 January 2023 [New ownership of Registrar designate for the Luxembourg Rail Protocol](#)

3 March 2023 [RID/ADR/ADN Joint Meeting](#)

14 March 2023 [Rabat: high-level meeting](#)

21 March 2023 [Warsaw: high-level meeting](#)

30 March 2023 [Ad hoc Committee on Legal Affairs and International Cooperation: 4th Session in Berne](#)

19 April 2023 [Berne: high-level meeting](#)

30 May 2023 [15th Session of the Committee of Technical Experts](#)

9 June 2023 [Are you a lawyer? Then join OTIF](#)

15 June 2023 [Application of RID 2023](#)

20 June 2023 [High level meeting on Euro-Asian traffic](#)

21 August 2023 [6th Session of the Joint Coordinating Group of Experts](#)

24 August 2023 [50th Session of Working Group TECH](#)

7 September 2023 [RID/ADR/ADN Joint Meeting](#)

25 October 2023 [The ad hoc Committee on Legal Affairs and International Cooperation and the anniversary of the CIM and CIV Uniform Rules](#)

20 November 2023 [RID Committee of Experts' standing working group in London](#)

7 December 2023 [Promoting international cooperation: broadening the category of “experts” among the stakeholders in the work of OTIF](#)

Press releases regularly inform journalists from the specialist and general press about OTIF's activities. In 2023, the two pieces of information that most caught their attention and which were relayed in the specialist press were:

- [High level meeting on Euro-Asian traffic](#) (a delegation from China's National Rail Administration (NRA) visited the headquarters of OTIF in Berne).
- [New ownership of Registrar designate for the Luxembourg Rail Protocol](#)

Annual report and work programme

The Communication Department designs the layout of the OTIF Secretariat's annual report and work programme. It also coordinates their publication.

The 2022 Annual Report was approved and published in 2023. It was in line with the 2022-2023 work programme and had a new graphic look.

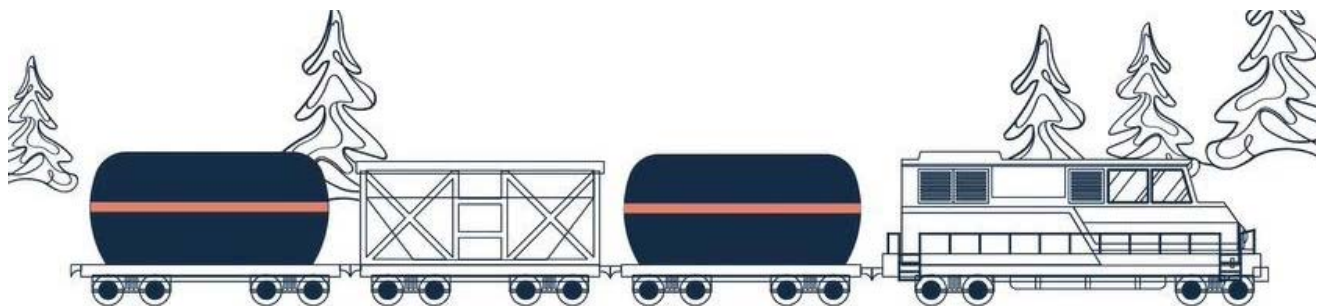


The Communication Department adapted the layout of the 2024-2025 work programme to the requests made by the members of OTIF's Administrative Committee. This work programme was approved and published on the Organisation's website at the end of 2023.



Videos

A “best wishes” video was posted at the end of 2023 (<https://vimeo.com/887644688>). For budgetary reasons, the Secretariat only produced this one video.



DIGITAL TOOLS

Social networks

The Organisation is present on Flickr, LinkedIn and Twitter.

On Flickr, the Department regularly publishes new photos illustrating OTIF's activities. https://www.flickr.com/photos/otif_cotif/albums/

LinkedIn is the social network where OTIF has the most subscribers. In 2023, the Organisation gained 195 new subscribers compared to 252 new subscribers in 2022 and 180 in 2021.

The rate of involvement corresponds to the number of user interactions (“likes”, comments, shares) divided by the scope of the posts (the number of views). The level of involvement is a performance indicator and is one of the statistics that should be studied regularly to find out whether the digital communication strategy is effective. On LinkedIn 2023, this level was 14% on average; in 2022 it was 9% and in 2021, 6.8%. An engagement rate of over 5% is generally considered to be good: this means that the community is active and is contributing to the prominence of OTIF.

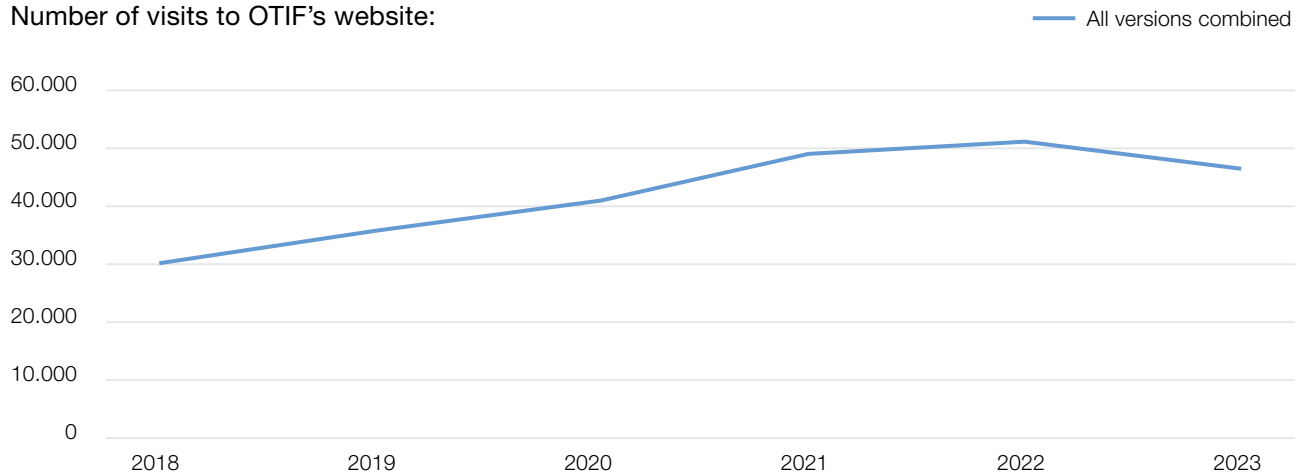
Websites

Technically, there are three OTIF websites, one for each of the Organisation’s working languages. Three independent sites to minimise the risk of unavailability: even if one of the sites goes down, the other two are still online and accessible.

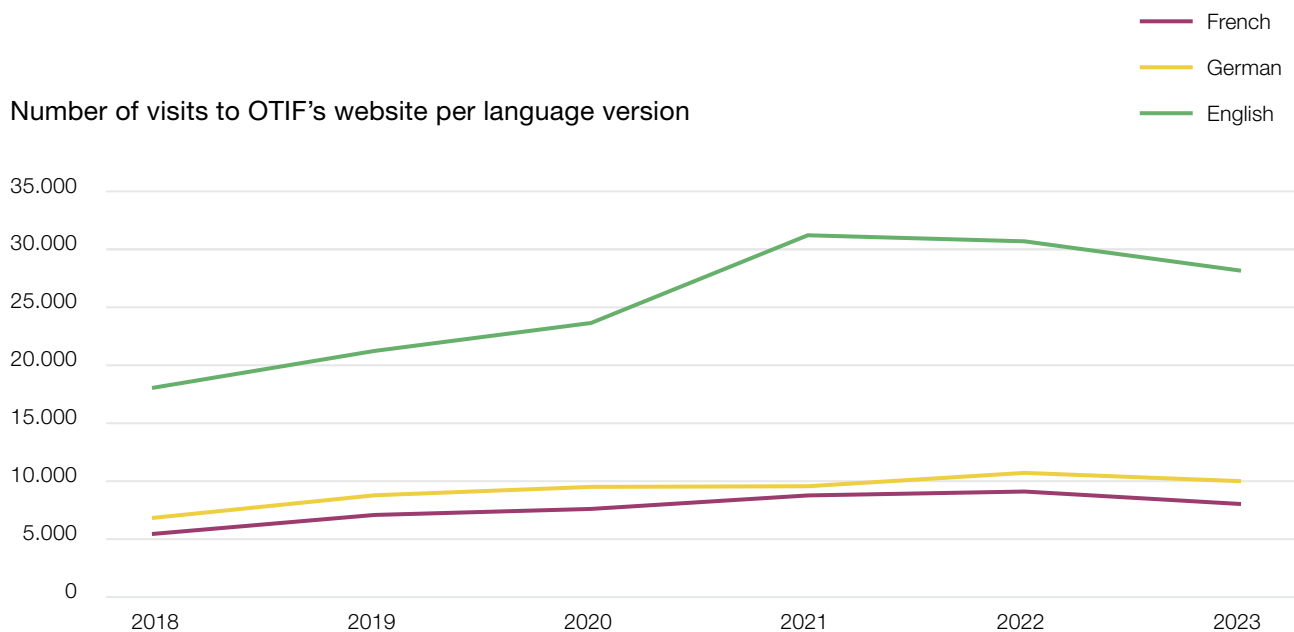
In this 2023 Annual Report, as in previous and subsequent reports, we simply refer to “the website” in order to simplify understanding. It is therefore important to make clear that specifically, the Communication Department, with the support of the webmaster technician and the Translation Department, maintains and works on the website in a threefold manner.

In 2023, the website was visited more than 46,500 times. Compared with 2022, there has been a slight decrease in the number of visits.

Number of visits to OTIF’s website:



Visit numbers are down in both the English and French versions.



The website is updated very regularly and quickly, depending on the technical requirements, topicality and activity of the Organisation's operational departments. In 2023, OTIF's Communication Department carried out more than 800 updates and document uploads.

At the end of 2022, the Communication Department carried out a survey among website users to gauge their satisfaction and better understand their expectations. Overall, the results analysed in 2023 were positive and suggested areas for improvement. On this basis, the Communication Department prepared proposals for improvements to the design, functionality and structure of the website. Consultations were then held with the Secretariat's departments to gather additional feedback and suggestions.

In cooperation with the webmaster, a modernised version of the OTIF website should be online in 2024.

Published by:
OTIF - Intergovernmental
Organisation for International
Carriage by Rail
Design and layout: Sarah Pujol,
Valerio Compagnone



OTIF

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