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## **Working Party on Rail Transport**

### **Sixty-ninth session**

Geneva, 23–25 November 2015

Item 9 of the provisional agenda

### **Towards unified railway law in the pan-European region and along Euro-Asian transport corridors**

## **Draft ITC Resolution on unified railway law**

### **Note by the secretariat**

## **Resolution on Unified Railway Law**

### **Draft Resolution No. ...**

#### **Work of the Group of Experts towards the Unified Railway Law**

*The Inland Transport Committee,*

*Recalling* the main objectives and actions formulated in the Joint Declaration adopted at the Ministerial meeting that took place during the 75<sup>th</sup> session of the Inland Transport Committee, on 26 February 2013 (ECE/TRANS/2013/2), and in particular the adopted strategy (rail map) to establish legal conditions for railways, equivalent with those that exist for competing modes such as road, air, inland water and maritime transport,

*Recalling further* the progress achieved by the other transport modes in harmonizing and simplifying their legal frameworks, making it imperative to ensure comparable business conditions among these modes and rail transport,

*Being Conscious* that different legal regimes along the Euro-Asian rail transport links increase costs, reduce competitiveness and impede the development of effective rail transport operations and efficient railway business,

*Welcomes* the work undertaken and report prepared by the Group of Experts towards the Unified Railway Law, having managed in three years' time to prepare, negotiate and agree legal provisions on the contract of carriage and, in particular, on rights and obligations of the parties to the contract of carriage, documentation, liability, assertion of claims and relationship among carriers of a Unified Railway Law by taking into consideration good practices already implemented by the COTIF Convention and SMGS Agreement as well as other International Transport Conventions;

*Accepts* these agreed legal provisions, Annex I of the current resolution, as a solid basis towards the Unified Railway Law which would allow efficient and seamless rail transport in the Euro-Asian region and beyond and therefore:

*Invites* Governments to disseminate these legal provisions to all key stakeholders in their countries,

*Encourages* Governments, Railways Undertakings and international organizations for railways to test these legal provisions, whenever possible, in practice,

*Invites* experts from Governments, Railways Undertakings and International Organizations to work together in order to prepare all necessary accompanying to the Unified Railway Law Documents as well as discuss and decide on the appropriate management system,

*Requests* that further development and progress in the application of the above mentioned actions should be monitored at regular intervals by the UNECE Working Party on Rail Transport (SC.2) with the participation of interested countries;

*Requests* the UNECE Working Party on Rail Transport (SC.2) to report the results of these consultations and actions at the 81st session of the Inland Transport Committee in order to be finalized and adopted; Then, the official processes for preparation of a Convention for signature should be initiated in order the finalized and adopted text of Unified Railway Law to be opened for signature by interested countries.

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