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Working Party on Rail Transport

Seventy-fifth session

Geneva, 17–19 November 2021

Item 4 of the provisional agenda

Towards unified railway law in the pan-European region and on Euro-Asian transport corridors

Decision taken by the 15th session of OTIF's General Assembly concerning the UNECE project on the unification of railway law

Submitted by OTIF

The OTIF secretariat has asked that the following information be made available to participants of the seventy-fifth session of the Working Party on Rail Transport:

At the 15th session of OTIF's General Assembly, held on 28 and 29 September 2021, the General Assembly took the following decision on the UNECE project on the unification of railway law:

The General Assembly:

"[...]

noted the Secretary General's report on the unification of railway law;

noted the conclusions of the Working Group of Legal Experts on the possible approaches to the unification of railway law;

noted that since its 13th session in September 2018, work on this UNECE project has not made it possible to reach a compromise on the approach to be taken with regard to a project to unify railway law;

supported the formation and adoption of an interface law between COTIF/CIM and SMGS to facilitate international rail freight transport between Europe and Asia. However, this interface law must not conflict with the CIM UR;

instructed the Secretary General to continue to participate in the UNECE work on the project to unify the railway law;

instructed the ad hoc Committee on Legal Affairs and International Cooperation to monitor the UNECE project concerning the unification of railway law and, if necessary, to formulate advisory opinions;

reiterated the following decision taken at its 13th session: in view of Article 3 § 1, Article 4 § 2, Article 14 § 2, letters h), p) and q) and Article 43 of COTIF, the General Assembly recognises that it must take a prior decision with regard to participating in the preparation of any new text on international railway law whose scope of application and objectives may conflict or partially coincide with the scope of application of COTIF and the objectives of OTIF;

instructed the Secretary General to submit a report to its next ordinary session on the progress of work relating to the UNECE project on the unification of railway law; [...]".

The full list of decisions for the session in English, French and German are available on the OTIF webpage: <https://otif.org/fileadmin/new/2-Activities/2A-General-Assembly/2AbFinalDocument/OTIF-21001-AG15-fde-Final%20Document-%26-Add.pdf>.
