



# UNITED NATIONS ECONOMIC COMMISSION FOR EUROPE (UNECE)



**UNECE**

## **Towards Unified Railway Law in the pan-European region and on Euro-Asian transport corridors**

**UNECE Position Paper  
and implementation strategy**



# UNECE

## United Nations Economic Commission for Europe

### European Agreement on Main International Railway Lines (AGC) European Agreement on Important International Combined Transport Lines and Related Installations (AGTC)



United Nations Economic Commission for Europe

#### European Agreement on Main International Railway Lines (AGC)

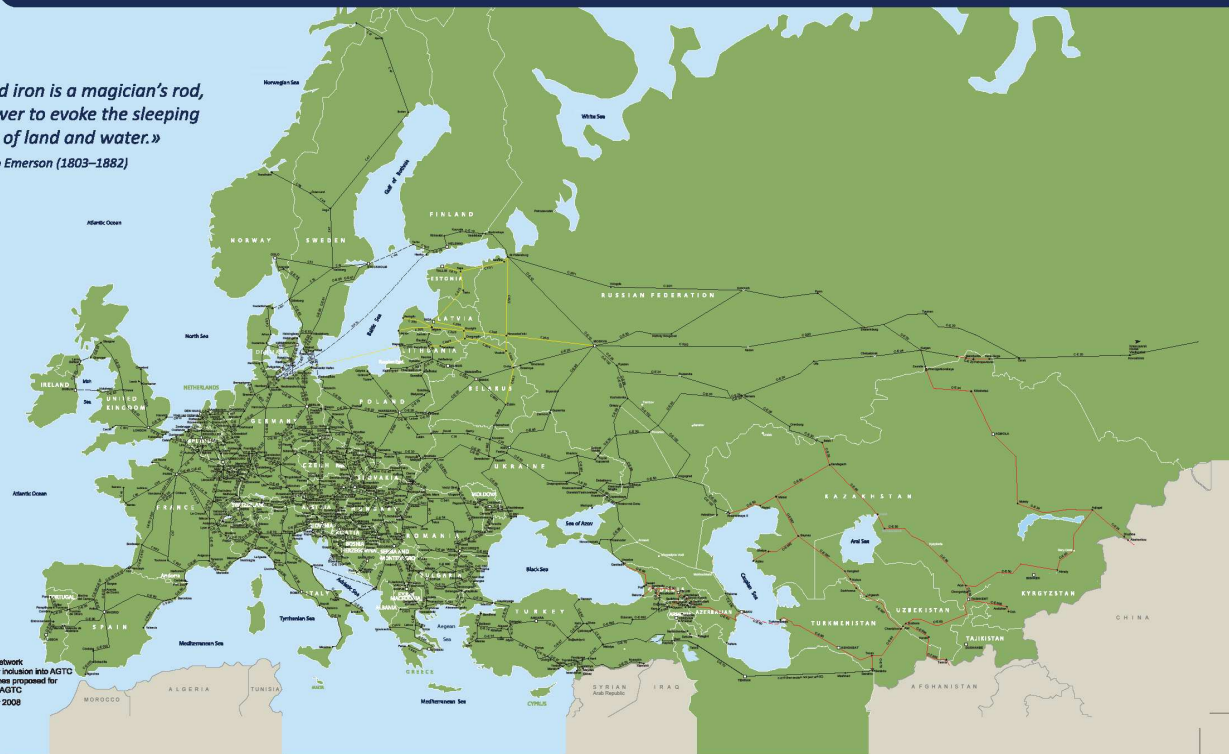
31 May 1985



Photo Source: SBB-CFF



*«Railroad iron is a magician's rod,  
in its power to evoke the sleeping  
energies of land and water.»*  
Ralph Waldo Emerson (1803–1882)





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

### **Mandate**

### **3 strategic objectives for Euro-Asian rail transport**

- **Pan-European rail Customs transit system**  
Convention on International Customs Transit Procedures for the Carriage of Goods by Rail under Cover of SMGS Consignment Notes (2006)
- **Harmonization of Frontier Controls for rail transport**  
New annex 9 on rail transport to the International Convention on the Harmonization of Frontier Controls of Goods 1982 (2010)
- **Unified railway law**  
Work started in 2010



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**Unification of railway law  
in the pan-European region and along Euro-Asian  
transport corridors**

**UNECE Position Paper**

**adopted by**

**UNECE Working Party on Rail Transport**

**Vienna, 19 November 2010**



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

### **Justification**

- **Level playing field: Common international conditions for all modes of transport (air, sea, road, inland navigation, rail)**
- **Need for complementary land links between Asia and Europe**
- **Completion of international rail infrastructure projects**
- **Stable and transparent framework conditions for the rail transport industry as a future global player**



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

### **Short-term:**

**MoU on general terms and conditions for Euro-Asian rail transport contracts**

**Time frame: March 2011 - March 2012**

### **Medium-term:**

**Model law Regulations for international rail transport**

**Time frame: June 2012 – 2015 (yet to be decided)**

### **Long-term:**

**Convention on International Rail Transport**

**Time frame: as of 2015 (yet to be decided)**





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

### **Short-term (1):**

**General terms and conditions for Euro-Asian rail transport contracts**

- International model contracts (non-commercial elements)
- Internationally agreed recommendations
- Prepared by industry in cooperation with Governments
- Existing mechanism: CIM/OSJD Transport Interoperability
- Content: Liability, documentation, claims handling, compensation, etc.
- To be signed by CEOs of concerned railways



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

### **Short-term (2):**

#### **Memorandum of Understanding (or similar)**

- **Political support for international model contracts (short-term (1))**
- **Policy framework for Euro-Asian rail transport services**
- **Prepared by UN member States in cooperation with industry**
- **Existing mechanism: UNECE Expert Group (UN member States)**
- **Content and scope yet to be decided by concerned Governments**
- **To be signed by concerned Governments**





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

### **Short-term: Procedures and timing**

- **General terms and conditions for Euro-Asian rail transport contracts (GTC Eurasia)**
  - Responsibility: OSJD, OTIF, CIT
  - March – October 2011
- **Memorandum of Understanding (MoU)**
  - Responsibility: UNECE with concerned UN member States
  - May – October 2011
- **Adoption of MoU and GTC Eurasia**
  - UNECE Working Party on Rail Transport (SC.2)
  - 4 November 2011 (Palais des Nations, Geneva, Switzerland)
- **Signature of MOU and GTC Eurasia**
  - during UNECE Inland Transport Committee
  - 28 February 2012 (Palais des Nations, Geneva, Switzerland)
- **Monitoring by UNECE and industry (CIT, OSJD)**



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

### **Medium-term:**

#### **Model law regulations for international rail transport**

- **Following review and assessment of short-term MoU**
- **Recommended, non-mandatory provisions for inclusion into COTIF, SMGS, EU and national railway law (as appropriate)**
- **Objective: Towards globally harmonized railway law**
  - **Core provisions (generally applicable)**
  - **Regional provisions**
- **Prepared by Governments in cooperation with industry**
- **Procedures yet to be established**
- **Timing: as of 2012 (yet to be decided)**



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

### **Long-term:**

#### **Convention on International Rail Transport**

- Following review and assessment of experiences
- Treaty prepared under the auspices of the United Nations
- **Objective: Level playing field with other modes of transport**
  - Air: Chicago, Warsaw, Montreal Conventions
  - Sea: Hague-Visby, Hamburg, Rotterdam Rules)
  - Road: CMR Convention
  - IWT: CMNI Budapest Convention
- Evaluation of experiences gained
- Negotiated by Governments in cooperation with industry
- Procedures yet to be established
- Timing: as of 2015 (yet to be decided)



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**Unification of railway law  
in the pan-European region and along Euro-Asian  
transport corridors**

**UNECE Position Paper (next steps)**

**Bureau of Inland Transport Committee (ITC)**

**30 November 2010**

**Review of Position Paper**

**Inland Transport Committee (ITC)**

**1-3 March 2011**

**Approval of Position Paper**

**UNECE Executive Committee**

**4 March 2011**

**Creation of UNECE Group of Experts (E, F, R)**



## Unification of railway law: Procedure

### Negotiation of MoU

**UNECE Group of Experts** towards unified railway law in the pan-European region and along Euro-Asian transport corridors

6 May 2011

1. session (Geneva)

16 September 2011

2. session (Geneva)

### Preparation of GTC Eurasia

**OSJD/CIT Joint Legal Group** (Transport Interoperability CIM/SMGS)

26-27 April 2011 (Paris)

April to October 2011 (other sessions to be confirmed)

### Approval of MoU and GTC Eurasia

**UNECE Working Party on Rail Transport**

3-4 November 2011 (Geneva)

### Signature of MOU and GTC Eurasia

at **UNECE Inland Transport Committee**

28 February 2012 (Geneva)



# United Nations Economic Commission for Europe (UNECE)



**Palais des Nations, Geneva (Switzerland)**