UNECE Working Party on Inland Water Transport: SC.3 Workshop Digitalisation: Railways Experience

Geneva, 4 October 2018
Comité international des transports ferroviaires (CIT)

www.cit-rail.org

- 200 railway undertakings and shipping companies
- Association under Swiss law, located in Bern
- Tasks:
  1. Implementation of COTIF and EU law for practical use
  2. Standardisation of contractual relationships
  3. Representation of the interests of members towards authorities and other associations
Relationships governed by international law

Customer

Carrier

CIM / CIV (partially PRR)

Auxiliary (incl. operators of service facilities)

Wagon keeper

Carrier

CUI (also 34/2012/EU)

Substitute Carrier

Infrastructure manager (incl. partly service facilities)

CUI (also 34/2012/EU)

Infrastructure manager (incl. partly service facilities)
An example of the CIT products

**Legal rules**
- COTIF / CIV or CIM
- PRR or other EU law
- national law

**Contractual rules**
- GCC-CIV/PRR or GTC-CIM
- SCC: special conditions of carriage (per carrier, train offer etc.)
Complex legal regime for rail

Legal interoperability!
The international law for carriages by rail – COTIF 99

Protocol of Vilnius 1999

COTIF
Convention concerning
International Carriage by Rail
Protocol on the Privileges and
Immunities of OTIF

Appendix A
CIV UR
Uniform Rules concerning the Contract of International Carriage of Passengers by Rail

Appendix B
CIM UR
Uniform Rules concerning the Contract of International Carriage of Goods by Rail

Appendix C
RID
Regulation concerning the International Carriage of Dangerous Goods by Rail

Appendix D
CUV UR
Uniform Rules concerning Contracts of Use of Vehicles in International Rail Traffic

Appendix E
CUI UR
Uniform Rules concerning the Contract of Use of Infrastructure in International Rail Traffic

Appendix F
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 G
ATMF UR
Uniform Rules concerning the Technical Admission of Railway Material used in International Traffic
CIM Consignment note

- Consignment note = only a proof of the contract of carriage (Art. 6 § 2 CIM)

- However, consignment note is obligatory for custom enters in the EU + EEA and EFTA (CH) or common transit procedure (Art. 6 § 7 CIM)

- International associations of carriers (like CIT) have the task to establish uniform model consignment notes (Art. 6 § 8 CIM)

- Except if otherwise agreed, the completion of the consignment note shall be the responsibility of the consignor

- Creation of common CIM/SMGS consignment note
Article 6 § 9 CIM: legal basis for the e-consignment note

- § 9: The consignment note and its duplicate may be established in the form of electronic data registration which can be transformed into legible symbols. The procedure used for the registration and treatment of data must be equivalent from the functional point of view, particularly so far as concerns the evidential value of the consignment note represented by those data.
CIM Electronic consignment note: proposal of the CIT on the level of regulation

new Article? … CIM should assure:

- priority of the electronic consignment note and electronic accompanying documents;
- evidential value of the electronic consignment note for the contract of carriage;
- authentication of the electronic consignment note (electronic signature?);
- ensuring that the requirements of the national law applicable are met
Electronic consignment note CIM: step forward at sector level

- Transposition with priority of the electronic CIM consignment note and the wagon note CUV into the CIT freight documentation
- Definition of the legal and functional specifications for the electronic consignment note in the manuals of the CIT in force since 1.1.2017
- RailData in cooperation with the CIT prepared the technical specifications for the electronic consignment note CIM and wagon note CUV
- Implementation of the electronic CIM at level of railway companies ongoing
- Definition of the legal and functional specifications in the for the CIM-SMGS consignment note ready and technical specifications for the CIM-SMGS electronic consignment note in force from 1th July 2019
EDI contract checklist

Purpose of the EDI contract

- Conditions for making valid use of an electronic consignment note / wagon note relative to the CIM / CUU uniform rules
- Customer – transport undertaking and transport undertaking – transport undertaking relationships

Contents

- Boilerplate clauses, comments for drawing up the EDI contract
- Scope
- Definitions
- Purpose of the EDI contract
- Contents, establishment and transmission of the electronic consignment note / wagon note
- Liability in the event of non-compliance with the obligations arising out of the EDI contract
The CIT is working on simple solutions fit for business use for the digitization of the formal report (CIT 20), with the aim of making the necessary bases available to the railway companies by 2018

- Message flows
- Message content
- Printer outputs
- New Appendix 20b to the GTM-CIT
Main obstacles for the implementation

- Investments in IT and new procedures
- Need for paper documents in B to A
- Paper consignment note as basis for simplified customs procedure and still no solution for the implementation of the EU customs code
- Legal recognition

<table>
<thead>
<tr>
<th>Formulaire</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>p. CIM/SMGS Formal report</td>
<td>Procès-verbal CIM/SMGS</td>
</tr>
<tr>
<td></td>
<td>Source: GLV CIM/SMGS Annexe 8.1</td>
</tr>
<tr>
<td>q. CIM/SMGS Wagon List</td>
<td>Relevé des wagons CIM/SMGS</td>
</tr>
<tr>
<td></td>
<td>Source: GLV CIM/SMGS Annexe 7.4</td>
</tr>
<tr>
<td>r. CIM/SMGS Container note</td>
<td>Relevé des conteneurs CIM/SMGS</td>
</tr>
<tr>
<td></td>
<td>Source: GLV CIM/SMGS Annexe 7.4</td>
</tr>
<tr>
<td>m. Consignment note CIM/SMGS</td>
<td>Lettre de voiture CIM/SMGS</td>
</tr>
<tr>
<td></td>
<td>Source: GLV CIM/SMGS Annexe 5</td>
</tr>
<tr>
<td>a. Consignment note CIM / Wagon</td>
<td>Lettre de voiture CIM/Lettre de wagon CUV</td>
</tr>
<tr>
<td></td>
<td>Source: GLV-CIM Annexe 4</td>
</tr>
<tr>
<td>b. Charges note</td>
<td>Bulletin d’affranchissement</td>
</tr>
<tr>
<td></td>
<td>Source: GLV-CIM Annexe 6</td>
</tr>
<tr>
<td>c. Subsequent orders (CIT 7)</td>
<td>Ordre ultérieur</td>
</tr>
<tr>
<td></td>
<td>Source: GLV-CIM et GLW-CUV Annexe 7</td>
</tr>
<tr>
<td>d. Circumstances preventing</td>
<td>Empêchement au Transport</td>
</tr>
<tr>
<td></td>
<td>Source: GLV-CIM et GLW-CUV Annexe 8</td>
</tr>
<tr>
<td>e. Circumstances preventing</td>
<td>Empêchement à la Béraison</td>
</tr>
<tr>
<td></td>
<td>Source: GLV-CIM et GLW-CUV Annexe 8</td>
</tr>
</tbody>
</table>
Digital Transport and Logistics Forum (DTLF)

- The CIT is part of the “Digital Transport and Logistics Forum”
- Digitalisation high priority and Megatrend for the transport sector


- Focus: e-transport documents for B to A data flows
Cesare Brand
General Secretary
Tel: +41 31 350 01 93
E-mail: cesare.brand@cit-rail.org

www.cit-rail.org