



United Nations Economic Commission for Europe
Transport Division

Towards Unified Railway Law

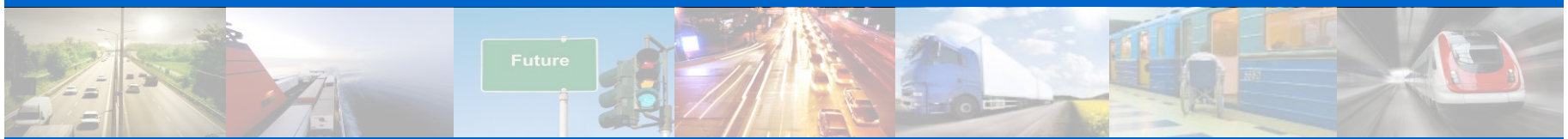
"Position Paper"

Working Party on Rail Transport (SC.2)

UNECE Inland Transport Committee

73. session

1-3 March 2011





Unification of railway law along Euro-Asian transport corridors

UNECE Mandate (initiated by WP.24 in 2005)

3 strategic objectives for Euro-Asian rail transport

- Pan-European Rail Customs Transit System

Convention on International Customs Transit Procedures for Carriage of Goods by Rail under Cover of SMGS Consignment Notes
Adopted on 9 February 2006

- Harmonization of frontier controls in rail transport

Annex 9 on rail transport of International Convention on the Harmonization of Frontier Controls of Goods 1982

Adopted in 2010 (waiting approval by Contracting Parties)

- Unified railway law (at present COTIF/CIM and SMGS)

UNECE Position Paper

Prepared and adopted in 2010





Unification of railway law along Euro-Asian transport corridors

UNECE Position Paper
(ECE/TRANS/2011/3 and Corr.1)

prepared in 2010 and adopted by
Working Party on Rail Transport
(Vienna, 19 November 2010)

for consideration and approval by the
Inland Transport Committee





Unification of railway law along Euro-Asian transport corridors

Vision and strategy: Short, medium and long term

Approach: Public-private partnership

Short-term

Inter-Governmental Document (IGD) on General Terms and Conditions for Euro-Asian rail transport contracts (GTC EurAsia)

Time frame: March 2011 - March 2012 ok

Medium-term

Model law Regulations for international rail transport

Time frame: June 2012 - 2015 following evaluation

Long-term

Convention on International Rail Transport

Time frame: as of 2015 following evaluation





Unification of railway law along Euro-Asian transport corridors

Short-term vision and strategy

- General terms and conditions for Euro-Asian rail transport contracts (GTC EurAsia)
 - International private law model contracts (non-commercial)
 - To be prepared by industry (OSJD-CIT Legal Group)
 - Content: Liability, documentation, claims handling, compensation, etc.
- Inter-Governmental Document (IDG) (MoU, Declaration, Resolution,...)
 - Political support for GTC EurAsia (policy framework for Euro-Asian rail transport operations)
 - To be prepared by UN member States (cooperation with ESCAP)
 - UNECE Expert Group (to be established)
 - Content and scope (to be decided)
- Coordination + cooperation (UNECE, OSJD, OTIF, CIT)





Unification of railway law along Euro-Asian transport corridors

Short-term approach (public-private partnership)

- **Negotiation of Inter-Governmental Document (IDG)**
UNECE Group of Experts 6 May 2011 1.session (Geneva)
16 September 2011 2.session (Geneva)
- **Preparation of GTC Eurasia (model private law)**
OSJD/CIT Joint Legal Group (CIM/SMGS)
26-27 April 2011 (Paris)
April to October 2011 (to be determined)
- **Approval of IGD and GTC Eurasia**
UNECE Working Party on Rail Transport
3-4 November 2011 (Geneva)
- **Signature of IDG and GTC Eurasia (by Governments and railways)**
Inland Transport Committee (or other event)
(possibly) 28 February 2012 (Geneva)





Unification of railway law along Euro-Asian transport corridors

For approval by ITC

UNECE Position Paper (ECE/TRANS/2011/3 and Corr.1)

- Vision and strategy (3 step approach following evaluation)
- Preparation of an Inter-Governmental Document (IGD) on GTC EurAsia (Governments and industry)
Time frame: May 2011 - February 2012
- Establishment of a UNECE Group of Expert with Terms of Reference (ECE/TRANS/2011/3, annex)

