

Measure 16: Joining the International Organisation for International Carriage by Rail (OTIF)

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<p><i>Policy package:</i> 2A Rail liberalisation and harmonisation</p>
<p><i>Measure 16:</i> Accession of the European Community to the Convention concerning International Carriage by Rail (COTIF)</p>
<p><i>What is the problem being addressed ?</i> The Intergovernmental Organisation for International Carriage by Rail (OTIF) has as its members and the Member States of the Union, all the candidate countries which have railways and some countries in Africa and Asia (40 countries in all). The instrument applied by OTIF is the Convention concerning International Carriage by Rail (COTIF), signed in Bern on 9 May 1980 and amended by the Vilnius Protocol signed on 3 June 1999. The amended Convention covers:</p> <ul style="list-style-type: none">• Uniform rules concerning the international carriage of passengers by rail (CIV), which relate to the measure proposed for the EU in the Commission's proposal on the quality of international rail services and passenger rights (Measure 13 of this report).• Uniform rules concerning the international carriage of goods by rail (CIM), which relate to the measure proposed for the EU in the Commission's proposal on the quality of rail freight services.• Regulation concerning the international carriage of dangerous goods by rail (RID).• Uniform rules concerning contracts of use of vehicles in international rail traffic (CUV).• Uniform rules concerning the contracts for use of infrastructure rail traffic (CUI).• Uniform rules concerning the validation of technical standards (APTU) and the technical admission of railway material used in international traffic (ATMF), which relate to the interoperability Directives 96/48 (for high-speed rail system) and 2001/16 (for conventional rail system). <p>The Vilnius Protocol is open for ratification, but not Member State has ratified it to date. In the meantime, Community competence in the railway sector has evolved considerably since the signature of the Vilnius protocol, and a number of areas covered by the Protocol are now the exclusive responsibility of the Community, and particularly the matters concerning railway interoperability. Consequently, the Member States can no longer ratify the Vilnius Protocol on their own outside the framework of the Community institutions now that some of the provisions fall within the Community's exclusive responsibility.</p> <p>With this measure, the Commission recommends that the Community accede to the COTIF and OTIF in order to exercise its exclusive powers in the railway sector and to coordinate the Member States' positions more closely in the areas for which they share responsibility.</p>
<p><i>Measure's costs and/or benefits:</i> Costs do not seem relevant.</p>
<p><i>Legislative implementation at the EU level:</i> COM (2003) 696: Proposal for a Council Decision on the conclusion by the European Community of the Agreement on the Accession of the European Community to the Convention concerning International Carriage by Rail (COTIF) of 9 May 1980, as amended by the Vilnius Protocol of 3 June 1999. Discussion is on going at the EU level</p>
<p><i>What are the objectives ?</i> The EU accession to the COTIF will allow it to apply more effectively its exclusive or shared competences with its Member States.</p>
<p><i>Interactions with other WP measures:</i> Measure 16 is linked in particular with Measure 9 concerning rail interoperability, Measure 13 enforcing quality and passengers' rights for international rail services and Measure 14 on the quality of rail freight services.</p>

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Output indicators:

Once the measure has been adopted, de facto implementation can be monitoring surveying the matters covered by of the Convention and the harmonisation of the rules in the related Community measures, in particular concerning rail interoperability, and the quality of international passenger services and rail freight services.

Outcome indicators: intermediate impacts on transport markets

The measure will have an indirect positive impact on the enforcement of the “revitalize railways” package of measures, and by this way on the desired growth of the rail market.

Outcome indicators: final impacts on transport users and non users

Not relevant.