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International Rail Transport Committee

Editorial

A milestone for Ministers of Transport in Geneva



Euro-Asian rail freight traffic increased significantly last year. We have published several reports on this issue in the CIT Info. It is an indication that the market is sounding out the possibility of rail freight traffic between Asia and Europe by organising pilot shipments. It is now up to the various rail

companies involved to demonstrate that rail freight services between Asia and Europe can provide an interesting alternative to sea and air freight shipments. The experience gained with these pilot traffics was positive and was ultimately due to the successful implementation of the common CIM/SMGS consignment note, which was developed jointly by the CIT and OSShD.

However, we are not there yet. There is still room for improvement on the operational, administrative and the legal level. The "Joint Declaration on the promotion of Euro Asian rail transport and activities towards unified railway law" signed on 26 February 2013 on the occasion of the 75th Jubilee Session of the Inland Transport Committee of the UNECE in Geneva is to be placed in this context. A total of 37 states along the Eurasian transport corridors have agreed to start working on establishing a unified rail transport law.

The CIT has been actively involved in this work and has vehemently supported the concerns of the railway undertakings. The Ministers of Transport have called on the railway companies operating on the corridors and other operators to use the legal scope available to them to prepare the ways of simplifying the legal framework.

In the course of the next few months, the CIT will propose business-related solutions for the relevant corridors to the members concerned. The aim is to provide business-friendly and practical solutions, taking into account the various legal systems, to ensure that the existing potential of the Eurasian rail transport services is fully utilized. The importance of this work is emphasised by the Prague Appeal as the final declaration of the International Rail Freight Conference on transport between Europe and Asia on 15 March 2013 and is included on page 8.

Best wishes from Bern! Cesare Brand Secretary General of CIT

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Transport Law and Policy

The United Nations Economic Commission for Europe (UNECE) welcomes the Political Declaration

At the 75th Jubilee Session of the Inland Transport Committee on 26 February 2013, representatives from 37 States signed the *Joint Declaration on the promotion of Euro Asian rail transport and activities unified towards railway law.*

The declaration explicitly refers to the GTC EurAsia and thus supports the continuation of the work completed by the CIT with the involvement of railway companies and other international railway organisations. The Secretary General of the CIT, Cesare Brand, took part in the seminar with specific proposals on how to carry out this project. A close working relationship with the CIT members which operate on the Eurasian corridors is absolutely essential.

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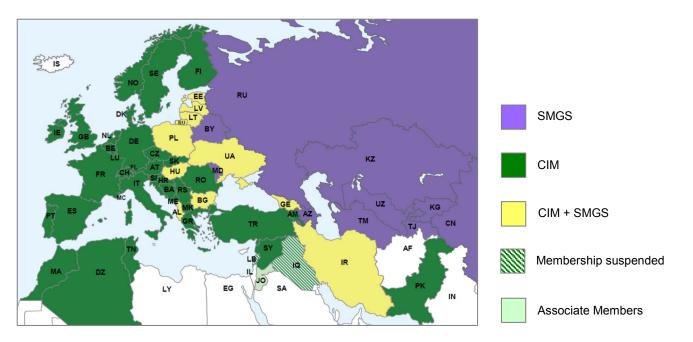


Pakistan accedes to COTIF: an important extension of the scope of application

On 21 February 2013, Pakistan deposited an application for accession to COTIF, i.e. to OTIF. The consultation procedure with the OTIF Member States runs until 7 June 2013. Provided there are no objections, Pakistan will accede to COTIF on 1 September 2013 and will thus become the 49th Member State of OTIF. Pakistan has limited its participation in COTIF initially to the CIM Uniform Rules only.

Pakistan's rail network has a length of almost 7,800 km, with most lines using a track gauge of 1676 mm (as in India). Current projects aim primarily at constructing rail links to China (682 km) and Afghanistan (900 km). Cross-border freight services to India have been possible again for some years now.

As a result of the applying the rules of COTIF/CIM and ultimately the use of the CIM consignment note, in its function, as a customs transit document, greatly simplifies the crossing of borders and international freight services between Turkey, Iran and Pakistan will be actively supported. The legal interoperability that is subsequently established for international rail freight shipments will result in fast and secure freight handling, which will provide rapid transfer of containers from 1676 mm gauge wagons to 1435 mm gauge wagons in Zahedan in Iran.





Extension of the scope of application of COTIF

In the long term, Pakistan's accession to COTIF will not only mean that OTIF has gained a new member, it is also expected that an entire region will be able to benefit from the unified rail transport law within the framework of COTIF. This could result in positive economic developments.

Since 2009 test trains have been running between Islamabad via Iran to Istanbul-Haydarpaşa station. This direct rail service was only possible after the completion of the missing Kerman-Zahedan link. This is a key project of the Economic Cooperation Organisation (ECO) based in Teheran. The CIT has signed an MoU for this purpose with the ECO.

Rail freight shipments between Islamabad-Teheran-Istanbul will be possible via a direct train service between Europe and the Middle East following the inauguration of the

13.6 km long Marmaray tunnel between Haydarpaşa on the Asian section and Kazliçeşme on the European section of the line.

The CIT supported the test shipments, for which two CIT members (TCDD and RAI) worked closely with Pakistan Railways (PR) on the preparation of the through transport documents. At a meeting in Ankara, with the support of the GS CIT, the use of the CIM consignment note was contractually agreed for the entire line, including the section through Pakistan. In view of these developments, the GS CIT is also interested in an early accession of Pakistan Railways (PR) to the CIT and, regardless of the outcome, will energetically support the introduction of the new legal regime along with more training and consultancy services.

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Passenger Traffic

Strengthening of airline passengers' rights within the European Union

The European Commission published its proposal to revise Regulation (EC) No 261/2004 on the rights of airline passengers (<u>COM(2013)130 final</u>) on 13 March.

New rights for passengers

The proposal to recast Regulation (EC) No 261/2004 introduces new rights for air passengers. These include the right to be rerouted by another flight or by another mode of transport in the event that it is impossible for the airline to organise a replacement flight within twelve hours or the right to compensation of \in 600 if the times of flights are changed less than two weeks before departure.

Several changes to the case law handed down by the European Court of Justice

The Commission has decided to depart from the case law handed down by the European Court of Justice on compensation for delay. Thus, the new regulation provides for such compensation only after five hours of delay, contrary to the three hours laid down in the Sturgeon case.

Definition of 'force majeure'

The Commission has adopted rather a short definition for force majeure – 'circumstances which, by their nature or origin, are not inherent in the normal exercise of the activity of the air carrier concerned and are beyond its actual control'. In consequence the Commission has been obliged to outline the extent of this definition by attaching a list of extraordinary circumstances which constitute (or not) grounds for exclusion of liability.

This technique is highly questionable in private law. A more nuanced and objective definition of force majeure – such as is provided in the CIV Uniform Rules and more specifically in Articles 26 and 32 is a legal approach which is more reliable in the long term.

The question of proportionality and the balance of interests

The new text of the regulation unfortunately gets lost in the details. The majority of the new articles are very long. They are accompanied by definitions which are sometimes astonishing such as those of 'night', 'flight', 'journey', 'time of departure' and 'time of arrival'. This approach to drafting legislation is unfortunately hardly suitable for regulating the millions of contracts of carriage which are concluded every day between airlines and passengers in a simple and transparent way.

The CIV Working Group will analyse the text more thoroughly on behalf of the CIT when it next meets - on 22 and 23 May in Bern.

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Meeting with the national bodies enforcing the PRR

The CIT and the CER encourage dialogue with the authorities responsible for applying the PRR (national enforcement bodies – NEB) in order to ensure that the regulation is interpreted and applied in the same way right across the European Union. They invited the national enforcement bodies to two meetings, in February and in April 2013 in order to reconcile their positions on the issues identified in the workshop of 10 May 2012.

Preparation for a second workshop with the national enforcement bodies

The CIT and CER organised a workshop on the implementation of the PRR on 10 May 2012. More than eighty specialists from railway undertakings, the national enforcement bodies, EU bodies, organisations representing passengers and other stakeholders took part in this constructive



exchange of views. Taking account of the success of this first workshop, the CIT and CER decided to hold a second workshop. The date of this second workshop has been fixed as 15 October 2013.

In 2012, several topics were identified in the discussions, the common understanding of which by all the parties would be desirable:

- the procedures for handling complaints from passengers;
- the criteria for continuing the journey and for assistance in the event of delays or disruption;
- the status of strikes as a ground for relief from liability in the event of delay.

Topics handled in a small mixed working group

The CIT and CER decided to discuss the issues described above in more detail in an ad-hoc group composed of railway undertakings and volunteer national enforcement bodies. The objective of this group is to look for common posi-



Ensuring that the PRR is interpreted and applied in the most uniform way possible accross Europe requires the railway community and the national enforcement bodies to talk to each other.

tions and to address the problems of interpreting the PRR in a constructive way. The results of these discussions will be presented at the workshop in October.

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The Advocate General does not acknowledge force majeure in the ÖBB case

Advocate General Jääskinnen delivered his opinion in the ÖBB case (<u>C-509/11</u>) on 14 March. He said that a railway undertaking could not exclude the obligation provided for in Article 17 of Regulation (EC) No 1371/2007 on rail passengers' rights and obligations (PRR) to pay compensation for delay in the event of force majeure.

The issue of force majeure

According to the Advocate General, the grounds for excluding liability specified in Article 32 § 2 CIV (force majeure, fault of the victim or of a third party) do not apply to Article 17 PRR even though recital 14 of the PRR provides that the system of compensation in the event of delay should be on the same basis as the system defined in COTIF/CIV. The Advocate General likewise considered that it was impossible to apply the general principles of EU law on force majeure because that would constrain the PRR's ability to satisfy the objective which the legislator gave it – to guarantee a high level of consumer protection. Finally, the Advocate General said that the fact that other modes of transport may exclude the obligation to pay compensation for delay in the event of force majeure is not relevant to the rail mode because each mode is different.

During the hearings, Germany raised the argument that carriers could exclude their obligation to cover accommodation costs in the event of force majeure. It was therefore logical that those same carriers could exclude their obligation to pay compensation of 25 or 50% of the fare for delay for the same reasons. Nevertheless, the Advocate General refuted this legal reasoning saying that the legislator should have mentioned force majeure explicitly in the text of Article 17 PRR; the fact that he had not done so represented intended political choice. Accordingly, it emerges from these conclusions that carriers can exclude liability for death and injury in the event of an earthquake but nevertheless still have to pay compensation for delay to those injured.

The issue of the powers of the authority enforcing the PRR

The Advocate General was concerned by the fact that European Union law was not implemented in an effective way in Austria as evidenced by the national enforcement body (NEB) for the PRR's limited powers over ÖBB's general conditions of carriage. In fact the NEB only has the power to declare conditions to be null and void but not to rewrite them. Nevertheless, the Advocate General did not permit the NEB to interpret Article 30 PRR to authorise it to go beyond what is provided for in Austrian law and impose binding conditions.

In complementary observations, the Advocate General said that Member States of the European Union must provide 'effective judicial protection' to European citizens and to ensure that Community law is 'fully effective'. He tried to clarify the link between the administrative procedure which protects passengers indirectly and the civil procedure which allows passengers to claim the rights which arise from the PRR directly. In this case the parties to the administrative procedure are the ÖBB and the NEB. It seemed to him that Austria was not obliged to change the powers of the NEB or the administrative court to have EU law respected because there are other means available to passengers to assert their rights.

Lastly, the Advocate General did not clarify how the two procedures – civil and administrative – should interact when they consider identical issues. It is possible to imagine that a



passenger could have started a legal action against ÖBB in 2010 to obtain compensation for delay which would have been to be refused because of force majeure. A passenger could likewise have approached the NEB and a civil court the same day (except if that were expressly excluded in the national law). Who then would be competent to interpret the PRR, the court or the administrative authority?

Whilst waiting for the court's judgment

The European Court of Justice still has to give its final judgment; that may come in the next few weeks but perhaps even months. The CIT is preparing for the possibility that the court will follow the opinion of the Advocate General on the issue of force majeure. The judgment along those lines will certainly have implications for the *General Conditions of Carriage for Rail Passengers* (GCC-CIV/PRR).

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Carriers must pay compensation for delay even in the event of force majeure.

Obligation to inform passengers of disruption in real time

After the Westbahn judgment (<u>C-136/11</u>) in which the European Court of Justice confirmed the passengers rights to be kept informed of delays to connecting trains, a new case on the obligation to keep passengers informed of delays and disruption has arisen in Germany.

Article 18 of Regulation (EC) No 1371/2007 on rail passengers' rights and obligations (PRR) provides that 'in the case of a delay in arrival or departure, passengers shall be kept informed of the situation and of the estimated departure time and estimated arrival time by the railway undertaking or by the station manager as soon as such information is available'. On the basis of that article, the German national body enforcing the PRR asked the DB Station&Service undertaking:

- to equip all German stations with equipment permitting relevant information to be provided to passengers on delays and disruption in real time, or
- to provide this information itself by using its staff.

The court of first instance dealing with the case has decided to interpret Article 18 PRR in the sense which the German NEB wants. DB Station&Service has appealed against this judgment. The CIT will closely monitor further developments of this issue in the next few months.

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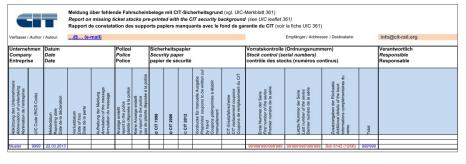
Form for reporting missing ticket stocks

The CIT and the UIC have jointly defined the specifications and ticketing standards for issuing international tickets. But what is the use of such standards if they are not monitored and continually checked for vulnerabilities and loopholes? Part of this important task is the responsibility of the COLPOFER Fraud/Ticket Forgery Working Group.

It frequently happens that complete stacks or rolls of so-

called blank stock with the CIT security background used for issuing tickets are lost. This ticket stock can not be found for months, if not years, and then "reappear" by chance in our trains somewhere else in Europe as "printed tickets", i.e. fake or forged tickets. Interrail passes, for obvious reasons, are the most frequently forged tickets in circulation. Following the recommendation of and in close consultation with the COLPOFER Working Group, in order to inform all CIT members of stolen or lost ticket stocks, the CIT is now introducing a new form for reporting missing ticket stock with the CIT security background. It is available for download from the CIT website.

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Freight Traffic

New advances in the development of CIT freight documentation

Elected by the CIT General Assembly in November 2012 to chair the CIM Committee, Frau Marianne Motherby, Director of the DB Group's legal services, presided over the committee for the first time at its most recent meeting on 26 March 2013. The CIT General Secretariat would like to express its gratitude once again to Mrs Motherby for sharing her knowledge and skills with the CIT.

After having reviewed the progress made on the CIT's freight projects, the CIM Committee approved a large number of changes to CIT documentation. These changes will come into effect on 1 May and 1 July 2013.

Advances made in projects

The draft new Article 6a CIM, which was developed jointly with the OTIF General Secretariat, was approved. It is intended to provide the basis to replace the principle of functional equivalence between the paper consignment note and the electronic consignment note, a principle laid down in Article 6 § 9 CIM. The new article will provide specific provisions which will give priority to electronic consignment notes and accompanying documents. The parties to the contract of carriage may nevertheless still agree to use paper documents. This draft new article and several other suggestions for changes to the CIM Uniform Rules (principally concerning the creation of electronic formal reports, transferring the right to amend the contract of carriage from the consignor to the consignee and the right of the carrier to return the goods to the consignor or to destroy them when the person entitled does not give instructions in the event of circumstances preventing carriage or delivery) will be submitted to the CIT Executive Committee in September 2013 before being sent on to OTIF in advance of an ad-hoc revision of the CIM Uniform Rules.

The CIM Committee welcomed the remarkable increase in the use of the common CIM/SMGS consignment note in the context of making the CIM and SMGS legally interoperable. It approved several changes to the *CIM/SMGS Consignment Note Manual*. During the coming years, the CIT will press ahead vigorously with drawing up the future General Terms and Conditions of Eurasian Carriage of Goods by Rail (GTC EurAsia). At an appropriate time it will make its contribution to drafting new international law for carriage between Europe and Asia within the United Nations Economic Commission for Europe.

In the era of globalisation, multimodal transport is becoming more and more important. The CIT intends to make its contribution to this process and is currently preparing a draft of general terms and conditions applicable to joint contracting for the carriage of goods by rail and sea (General Terms and Conditions of Carriage for Rail-Sea Traffic). A conference on multimodality will be organised jointly with the IRU on 5 September 2013 in the CIT building in Bern.



Development of the CIT's freight documentation

After having been briefed on certain issues still being considered (contractual models for carrying out carriage, issues relating to subcontracting, etc.), the CIM Committee approved a large number of changes to CIT freight documentation. It would be appropriate to mention:

- inclusion of a clause intended to prevent corruption in the five sets of CIT general conditions for carriers to work together;
- a change to Chapter 5 of the AIM in order to clarify the situation relating to the acceptance of charges for transhipment or adjustment of loads as a result of unsatisfactory loading of a wagon;
- a new provision relating to consignors correcting information on consignment notes and wagon notes.

Lastly, the CIM Committee approved the new CIT Wagon Manual (GTW-CIT). The purpose of this new manual is essentially to define a standard process for railway undertakings using wagons to handle the CUV wagon note and other documents used for the movement of empty wagons. In particular, it covers out-of-the-ordinary circumstances (such as amendment of the consignment details within the structure of the contract of use, circumstances preventing haulage, circumstances preventing handover, traffic restrictions, etc.). The new manual will allow railway undertakings to offer wagon keepers a better service, improving wagon availability in particular. It will also give structure to the relationship between user railway undertakings.

2012 questionnaire on CIT freight documentation

To check whether the CIT freight documentation still continues to meet the needs of the market, a questionnaire is sent periodically to members of the CIM Committee to survey the use they make of the documents and the developments they would like to see.



It is clear from our analysis of the replies to the questionnaire sent out in 2012 that the documents the most used are:

- the GTC-CIM, the GLV-CIM and the GLW-CUV for the contractual interface between the customer and the carrier;
- the AIM, the GTM-CIM, the checklist for sealing wagons together with the GTC joint contract and GTC sub-contract for the contractual interface between the carriers themselves.

The CIM Working Group will take on the task of more detailed examination of the proposals for changes which several members of the CIM Committee made. That work will start at the next meeting of the working group in June 2013.

The next survey will be made in 2015.

Lastly, it is to be noted that the next meeting of the CIM Committee will take place on 25 March 2014 in the CIT building in Bern.

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International Rail Freight Conference on transport between Europe and Asia (IRFC 2013)

On 13-15 March Prague hosted the 4th "International Rail Freight Conference" on transports between Europe and Asia (IRFC 2013) with the subtitle "Dialogue between Railways and their Customers".

The conference was organised by the JERID company, a member of the OLTIS Group, under the auspices of the Ministry of Transport of the Czech Republic and the international organisations OSJD (Organisation for the Cooperation of Railways), UIC (International Union of Railways), UNIFE (Association of the European Rail Industry), CER (Community of European Railway and Infrastructure Companies) and CCTT (Coordinating Council on Trans-Siberian Transportation).

The CIT took also active part to the IRFC 2013 and delivered a dedicated presentation by the CIT Deputy Secretary on the "Legal Interoperability Project CIM/SMGS" and the practical implementation of the common consignment note CIM/SMGS on the land bridge between Europe and Asia. This year Conference was attended by further 330 participants from 31 countries in 3 continents.

The first day and the theoretical part of the Conference looked on freight law and legislation, interoperability and the role of international organisations in the development of transportation between Europe and Asia. In their speeches the representatives of the Asian and European railway companies shared their experience from the transportation and informed about the projects, they are currently working on. Important information was provided by the representatives of Yuxinou Rail Logistics based in Chongqing which started with the direct rail freight transportation from China to Europe using the common consignment note CIM/SMGS.

In addition, there were lively debates focused on such key issues as the perspective of the railway development in Europe and Asia, new railway systems, railway corridors,



East-West connections, 1435/1520 mm interoperability, simplifying the procedures of railway border crossings, e-consignment note in railway freight transport, modern logistics solutions, multimodality with respect of the use of the common consignment note CIM/SMGS for rail-sea traffic, cross border and customs issues in transportation, shipment tracking, exceptional shipments, tariffs and price formation, railway freight market for combined and container transport and platform for stronger cooperation among railways.

To increase the importance of railway industry in the overall integrated transport system in Europe and Asia the participants approved a final declaration (Prague Declaration) supporting also the creation of common legal rules on the Eurasian Land Bridge in addition to the already well introduced Common Consignment note CIM/SMGS (see below).

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Appeal



to the Governments of Europe and Asia and to international organizations (according to the list)

> Prague March 12-15, 2013

The Participants of the 4th International Conference on Freight Rail Traffic from Asia to Europe and of the Eurasian Rail Forum, which gathered in Prague on the 12–15 March 2013, after addressing the state of railway freight and passenger transportations in the Eurasian region, noted the positive results of the endeavours, directed at increased competitiveness and efficiency of rail transport, development of rail transport corridors and outlined the next steps in this direction.

The Participants emphasize importance of the work on harmonization of rail law, related to the realization of the project on development and implementation of the unified consignment note CIM/SMGS. They note the efficiency of the creation of container main traffic. Information on the Joint Declaration on the Promotion of the Euro-Asian Rail Transport and Activities towards Unified Railway Law, signed by the Ministers of Transport on February 26, 2013 in the headquarters of the UNECE in Geneva, was received with a strong support. The initiative of the EU to switch from road transportation to rail transportation is welcomed. At the same time, it is noted that there is a need for a more efficient use of rail transport and state support of its operation.

Taking into consideration previous discussions, the participants turn attention to the conclusions of an independent research, carried out among others by CER (Communauté européenne du rail), showing the need for each country to choose a form of operation of rail infrastructure and carriage activities independently, based on the economic viability, the balance of interests of state and business actors and other criteria.

Bearing the aforementioned in mind the participants of the Forum:

- Express their support for the movement, started by the UNECE, for the creation of unified railway law;
- Approve the initiatives of the European Union on the switch from road transportation to railway transportation;
- · Support initiatives for the development of Eurasian rail traffic corridors;
- Support levelling of the playing field in order to ensure competitiveness of rail transport in relation to other alternative means of transport;
- Turn attention to the need of facilitation of border crossings;
- Ask to facilitate the implementation of the new Annex 9 to the International Convention on the Harmonization of Frontier Controls of Goods 1982;
- Urge to promote the development of railways in all possible ways and to invest in project related thereto.

The Appeal was unanimously adopted by participants from 31 countries:

Armenia, Azerbaijan, Belgium, Belarus, Czech Republic, China, France, Georgia, Italy, Kazakhstan, Latvia, Lithuania, Hungary, Morocco, Moldova, Mongolia, Netherlands, Norway, Poland, Romania, Russia, Slovakia, Spain, Sweden, Switzerland, Turkey, Uzbekistan, Ukraine, United Kingdom and representatives of the OSJD, CIT, UIC, CCTT, CER and UNIFE.

The Appeal is sent to following countries and institutions:

Albania, Afghanistan, Armenia, Azerbaijan, Belgium, Belarus, Bosnia and Herzegovina, Bulgaria, Montenegro, Czech Republic, China, Denmark, Estonia, Finland, France, Georgia, Croatia, India, Iran, Italy, Japan, South Korea, Kazakhstan, Democratic People's Republic of Korea, Kyrgyzstan, Latvia, Lithuania, Hungary, Macedonia, Morocco, Moldova, Mongolia, Netherlands, Norway, Pakistan, Poland, Portugal, Romania, Russia, Slovakia, Slovenia, Serbia, Spain, Sweden, Switzerland, Tajikistan, Turkey, Turkmenistan, Uzbekistan, Ukraine, United Kingdom, Vietnam and representatives of UNECE, ESCAP, EU, OSJD, EurASEC (EAEC), CIT, UIC, CCTT, ERA, CER, UNIFE, OTIF and WCO.



Latest news from the meeting of the "Multimodality" Group of Experts

The 5th meeting of the "Multimodality" Group of Experts was held on 27 March in an extremely enriching and constructive atmosphere. The experts discussed the proposals submitted by the GS CIT on the General Terms and Conditions of Carriage for Rail-Sea Traffic and were able to finalise the draft version. The focus of this meeting was on the special provisions for carriage by sea, which provide the link to the standard rail transport models in rail transport law in which the carrier by sea acts as the contractual or successive carrier.

In the model for the carrier by sea (railway undertaking and shipping company), the successive carrier accepts the consignment and the consignment note on the basis of the contract of carriage in accordance with COTIF/CIM (Article 24 COTIF in conjunction with CIM Article 1 Section 4). This will also result in numerous economic benefits for the shipping companies as CIT members. The legal aspects of this model for rail-sea transport services will now be appropriately reflected in CIT's freight documentation. The model in which the shipping company acts as an auxiliary to the railway undertaking will be dealt with at a later stage.

Next steps

The General Conditions of Carriage for Rail-Sea Traffic, completed with the relevant annexes¹ will be presented at the second UNECE/CIT seminar to be held on 24/25 June 2013 in Batumi/Georgia and at the CIT/IRU multimodal conference on 5 September in Bern. They are expected to

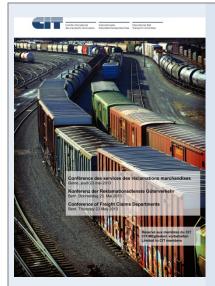


be finalised at expert level by the end of 2013. The GS CIT intends to circulate these documents for approval at the 17^{th} meeting of the CIM Committee of CIT on 25 March 2014.

The further developments and updates of the CIT documentation for rail-sea transport will be the responsibility of a new Multimodality Committee that is to be set up in the near future, where the shipping companies as CIT members will also take on a prominent role.

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 Annex 1: CIM list of maritime and inland waterway services and Annex 2: Conditions for the carriage of dangerous goods.



CIT Freight Claims Departments' Conference 2013 Bern, 23 May 2013

This year's Freight Claims Departments' Conference will be held on Thursday, 23 May 2013 in the CIT offices in Bern. The conference is designed for members of the CIT and in particular staff from claims departments, sales and legal departments together with members of the UIC Wagon Users' Study Group. The conference has been divided into three modules.

The focus of the first module will be on wagon law and the processing of damage to wagons and of damage caused by wagons. Likewise, attention will be given to goods-in-transit insurance in the first module in that the problems of settling loss and damage together with the estimation and cover of risks will be considered.

In the second module, participants will divide into three syndicate groups to focus on the fundamentals of the work of claims departments. Amongst these issues will be the use of the CIM Uniform Rules and the AIM, identifying loss and damage and creating formal reports, damage caused to wagons and damage which wagons cause to goods, to the infrastructure and to third party property. The results of these

three syndicate groups will be presented at the end and discussed in the plenary session. The ideas generated by the syndicates will then be taken forward by the CIT's CIM Working Group and CIM Committee for consideration in more detail.

The third module will provide participants with an opportunity to have face-to-face discussions with their colleagues in other undertakings to improve liaison arrangements or to resolve specific cases. The CIT General Secretariat will be pleased to assist in organising appointments, if necessary.

Further information may be obtained from the General Secretariat of CIT, Weltpoststrasse 20, CH-3015 Bern, Tel. +41 (0)31 350 01 90.

An information leaflet and a registration form may be downloaded here or from our website.



Use of the Infrastructure

Updating the European GTC of Use of Railway Infrastructure

At the beginning of the year, the CIT approached RailNetEurope to discuss ways of updating the "European General Terms and Conditions of Use of Railway Infrastructure (EGTC)". Regardless of the transport model, the EGTC offer the carriers a flexible legal framework for railway undertakings that use the facilities of one or more infrastructure managers for handling cross-border shipments. They were approved by the committees of CIT and RNE responsible in 2010, following several years of negotiation. On 18 March, the legal experts from CIT, CER, RNE and EIM met for the first time in Bern to discuss the extent of the update. The work is to focus primarily on the action to be taken to encourage the use of the EGTC in Europe and to improve the linguistic quality of the EGTC (currently available in English only), to bring it in line with new EU legislation (in particular Directive 2012/34/EU establishing a single European railway area) and to have the EGTC translated into German and French.

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CIT Diary of Events

Date	Event	Location
23/24 April	CIV Group of Experts Ticketing Manual	Bern
25 April	Group of Experts "CIM/SMGS Electronic Consignment Note"	Warsaw
25/26 April	CIM/SMGS Legal Group and Experts Group	Warsaw
16 May	CIV/SMPS Working Group	Bern
21/22 May	CIV Group of Experts Ticketing Manual	Bern
22/23 May	CIV Working Group	Bern
23 May	Conference of Freight Claims Departments	Bern
4 June	CUI Committee	Bern
4 June	CIM/SMGS Co-ordination and Steering Group	Bern
12/13 June	CIM Working Group	Bern
24/25 June	Third Regional Conference on Trade Facilitation and Caucasus Transit Corridor (CTC) Promotion	Batumi
27 June	CIV Committee	Bern



Events with CIT participation

Date	Event		Location	CIT contact
24 April	Passenger Commercial & Distribution Forum	UIC	Paris	Cesare Brand
25 April	TAP TSI Common Support Group	UIC	Paris	Thomas Gyger
26 April	TAP Price Message (OSI)	UIC	Paris	Thomas Gyger
14 May	General Assembly	CER	Rom	Cesare Brand
14 May	European Group of Assistants	UIC	Rom	Cesare Brand
14/15 May	Working Group "Non (integrated) Reservation Ticket" (NRT)	UIC	Biel	Isabelle Oberson
16 May	ERA TAP TSI CCM Working Party	ERA	Lille	Thomas Gyger
28 May	SIAFI International	UIC	Paris	Erik Evtimov
28 May	Steering Committee Freight Forum	UIC	Paris	Erik Evtimov
28 May	Meeting UIC Leaflet 150 and CIT GTC Cooperation	UIC	Bern	Isabelle Oberson
29 May	Freight Forum	UIC	Paris	Erik Evtimov
29 May	Project Workshop & Assistants European Management Committee	UIC	Paris	Erik Evtimov
29 May	Global Team of Experts (GTE)	UIC	Paris	Erik Evtimov
4 June	TAP TSI Common Support Group	UIC	Prague	Thomas Gyger
13 June	High Level Passenger Meeting	CER/UIC	Bern	Cesare Brand
14 June	International Baltic Freight Conference (IBFC-2013)	CCTT	Jurmala (LV)	Cesare Brand Erik Evtimov
17/18 June	CER Assistants Meeting	CER	Brussels	Cesare Brand
25 June	3. Internationale Korridor 1 Konferenz des Bundesamtes für Verkehr der Schweiz	BAV	Thun	Myriam Enzfelder
25 June	Customer Experience in Rail	(Marketforce)	London	Isabelle Oberson
25/26 June	East-West-Tariff Steering Group	UIC	Lviv-Lemberg (UA)	Tetyana Payosova
26 June	European Management Committee EMC	UIC	Paris	Cesare Brand
26 June	European Regional Assembly	UIC	Paris	Cesare Brand
27 June	General Assembly & Executive Board	UIC	Paris	Cesare Brand
2 July	Passenger Working Group	CER	Brussels	Isabelle Oberson
16/17 July	Meeting UIC Leaflet 150 and CIT GTC Cooperation	UIC	Bern	Isabelle Oberson



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