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'I/A' ITEM NOTE

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| From: | General Secretariat of the Council |
| To: | Permanent Representatives Committee/Council |
| Subject: | EU coordinated position at the 17 th session of the Committee of Technical Experts of the Intergovernmental Organisation for International Carriage by Rail (OTIF) as regards items for adoption that do not entail legal effects - Approval |

1. The 17th session of the Committee of Technical Experts (CTE) of the Intergovernmental Organisation for International Carriage by Rail (OTIF) will take place in Bern, Switzerland on 17 and 18 June 2025.
2. The agenda of the meeting includes proposals for adoption of decisions having legal effects, which are subject of a specific Council Decision¹ on the basis of Article 218(9) TFEU.

It also includes items with no legal effects (proposals for non-binding guidance and recommendations, as well as items for discussion and information), which pertain to shared competences of the EU and Member States. Therefore, it is appropriate to establish a coordinated position to be taken during the CTE meeting with regard to those items.

¹ Document 9462/25.

3. On 23 May 2025, the Commission services submitted to the Council a non-paper on to the EU coordinated position at the 17th session of the OTIF CTE, covering items deemed not to entail legal effects for the Union.
 4. The non-paper was presented to the Working Party on Land Transport on 27 May 2025. Delegations raised no comments on the proposed positions.
 5. The Presidency invited delegations to submit written comments, if any, by 2 June 2025. No comments or requests for re-examination at working-party level were submitted, therefore, the deliberations at working-party level can now be considered closed.
 6. In light of the above, the Permanent Representatives Committee is invited to approve the draft Union position as outlined in the annex to this note and to agree to forward it to the Council for approval.
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EU coordinated position at the 17th session of the OTIF Committee of Technical Experts (CTE), 17-18 June 2025

- items that do not entail legal effects -

Introduction

The 17th session of the Committee of Technical Experts (CTE) of the Intergovernmental Organisation for International Carriage by Rail (OTIF) will take place in Bern on 17 and 18 June 2025.

The Agenda of the meeting and the documents related to the proposals for adoption are available at OTIF website https://otif.org/en/?page_id=1025.

The Agenda of the meeting includes proposals for adoption of decisions having legal effects and for which a position to be taken on the Union's behalf is subject to a specific proposal for a Council Decision on the basis of Article 218(9) TFEU.

The Agenda of the meeting also includes the following items do not entail legal effects:

- Item 3.2 – Information on the report from the Committee of Technical Experts' working group Tech
- Item 5 – Items concerning the approval of proposals for non-binding guidance and recommendations:
 - Item 5.1 – Approval of an explanatory document concerning external vehicle marking
 - Item 5.2 – Revision of the application guide for the UTP WAG
 - Item 5.3 – Revision of the application guide for the UTP Noise
- Item 6 – Further items for consideration:
 - Item 6.1 – Draft Annex D to the EST UR concerning a Common Safety Method for Supervision
 - Item 6.2 – Migration of wagon-related requirements from RID to the UTP WAG
 - Item 6.3 – OTIF's long-term strategy
 - Item 6.4 – Monitoring and assessing implementation: steps towards full and correct application of the ATMF UR by Contracting States
 - Item 6.5 – Possible integration of additional railway systems in the UTPs: preparing for the possible accession of GCC Member States to COTIF
- Item 7 – Work programme of the Committee
- Item 8 – Any other business

The above agenda items that are proposed for a decision, even though they do not entail legal effects, are all strictly related to Appendices F or G to COTIF, which concern an area largely covered by Union rules. The Union, represented by the Commission, shall therefore exercise the voting rights with respect to the agenda items.

Union positions

Item 3.2 - Report from the Committee of Technical Experts' working group Tech

Comments:

To facilitate an efficient review of proposed CTE items for decisions where they are based on EU rules defined in the technical specifications for interoperability (TSIs), as Commission's implementing acts adopted under Directive (EU) 2016/797, and common safety methods (CSMs), as Commission's delegated acts adopted under Directive (EU) 2016/798, close and active cooperation with the European Union Agency for Railways (ERA) should be undertaken to ensure full alignment of COTIF with EU rules.

Proposed Union position:

To invite the European Union Agency for Railways (ERA) and OTIF General Secretariat to collaborate actively to facilitate an anticipated screening of documents by ERA in the preparation of WG TECH and CTE meetings.

Item 5 – Items concerning approval of non-binding guidance and recommendations

Item 5.1 – Approval of an explanatory document concerning external vehicle marking

Comments:

This document is an explanatory document on external vehicle markings. The purpose of this document is to provide an overview and to facilitate the uniform application of requirements concerning the marking of vehicles set out in the UTP Marking. It does not contain any legal requirements that are part of the UTP Marking.

Proposed Union position:

To support the approval of the explanatory document on external vehicle markings, as set out in document TECH-25008.

Item 5.2 – Revision of the application guide for the UTP WAG

Comments:

The basis of this application guide is the ERA guide for the application of the WAG TSI for Locomotives and Passenger rolling stock, with reference GUI/WAG TSI/2023, version 4.0 dated 8 December 2023.

Proposed Union position:

To support the approval of the application guide for the UTP WAG, as set out in document TECH-25009.

Item 5.3 – Revision of the application guide for the UTP Noise

Comments:

The basis of this application guide is the ERA guide for the application of the WAG TSI for Locomotives and Passenger rolling stock, with reference GUI/NOI TSI/2023, version 2.0 dated 8 December 2023.

Proposed Union position:

To support the approval the application guide for the UTP Noise, as set out in document TECH-25010.

Item 6 – Items for discussion

Item 6.1 – Progress report on development of the EST UR (Appendix H to COTIF): Draft Annex D to the EST UR concerning a Common Safety Method for Supervision

Comments:

The EST UR set out uniform rules for the safe operation of trains in international traffic. They provide general principles and responsibilities for the cross-border operation of trains for COTIF Contracting States. The rules are compatible with the EU rules on the safety of the railway system, but are less detailed.

Annex D to the EST UR concerns common safety method (CSM) for supervision and mirrors EU acquis set out in Commission Delegated Regulation (EU) 2018/761 of 16 February 2018².

² Commission Delegated Regulation (EU) 2018/761 of 16 February 2018 establishing common safety methods for supervision by national safety authorities after the issue of a single safety certificate or a safety authorisation pursuant to Directive (EU) 2016/798 of the European Parliament and of the Council and repealing Commission Regulation (EU) No 1077/2012 (OJ L 129, 25.5.2018, p. 16, ELI: http://data.europa.eu/eli/reg_del/2018/761/oj).

Proposed Union position:

To take note of the progress report on the development of annexes to the EST UR and the remarks with regard to the draft proposal for a common safety method (CSM) for Supervision, as described in working document TECH-25012.

Item 6.2 – Progress report on migration of wagon-related requirements from RID to the UTP WAG

Comments:

Draft amendments to the TSI WAG are pencilled on the Agenda of RISC 106 for vote.

Proposed Union position:

To mandate WG TECH 55 to start working on the modification of the TSI WAG in preparation for CTE 18.

Item 6.3 – OTIF's long-term strategy

Comments:

OTIF's long-term strategy³ adopted by the 16th OTIF's General Assembly (Bern, 25-26 September 2024) is relevant to the work of CTE as organ of OTIF.

Based on the five strategic objectives for OTIF defined in its long-term strategy, implementation actions are proposed for consideration in the work programme of CTE and alignment of its activities accordingly.

Proposed implementation actions are aligned with the scope of CTE.

Proposed Union position:

To take note of the proposed actions for implementation of OTIF's long-term strategy to be considered in the work programme of CTE, as described in working document TECH-25014.

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https://otif.org/fileadmin/docs/Activities/Governance_and_revision_of_COTIF/General_Assembly/OTIF-Long-term-Strategy.pdf.

Item 6.4 - Monitoring and assessing implementation: steps towards full and correct application of the ATMF UR by Contracting States

Comments:

The implementation and application of ATMF UR should remain a priority to facilitate international traffic in case a COTIF Contracting State has notified or registered no relevant entities according to the ATMF UR and is not involved in the work of OTIF in relation to the ATMF UR. However, a pragmatic approach should be adopted inviting that COTIF Contracting State to reflect on the opportunity to make a reservation concerning the application of ATMF UR in accordance with Article 42 of COTIF.

Proposed Union position:

- OTIF Secretariat to invite COTIF Contracting States part of group B to effectively implement and apply the ATMF UR;
- OTIF Secretariat to invite COTIF Contracting States part of group C either to make a reservation concerning the application of ATMF UR in accordance with Article 42 of COTIF or to effectively implement and apply the ATMF UR.

Item 6.5 – Possible integration of additional railway systems in the UTPs: preparing for the possible accession of GCC Member States to COTIF

Comments:

This document explores the feasibility of covering additional technical systems in the UTPs, in particular the GCC system, with a view to the possible accession of GCC Member States to COTIF.

Proposed Union position:

- WG Tech to consider how the integration of GCC specifications into the UTPs could be mutually beneficial to current and possible future OTIF members with a focus on freight wagons only;
- OTIF Secretariat, in liaison with the GCC Railway Authority, to identify the requirements applicable to freight wagons in the GCC Member States as basis for WG Tech to analyse the functional and technical differences, and how to bridge them, between the system defined in the UTPs and the GCC system.

Comments:

In relation to the TSI Telematics, as point 2 of proposed decisions of the CTE:

Whereas,

the European Commission submitted for vote at RISC 106 a new TSI Telematics merging both telematics aspects related to freight and passenger services;

Appendix F (APTU) and G (ATMF) cover the prescriptions applicable to railway material in international traffic, for both freight and passenger services;

Appendix A (CIV) covers aspects related to international carriage of passengers;

Appendix B (CIM) covers aspects related to international carriage of goods;

UTP TAF should be revised taking into account the TSI Telematics.

The development of provisions related to telematics should be analysed taking into account the TSI Telematics, on one hand, to identify the elements that would also be relevant for international passenger traffic, and on the other hand, to trigger further discussions with relevant organs of OTIF for the revision of CIV and CIM.

In relation to the UTP LOC&PAS, as new point for proposed decisions of the CTE:

Whereas the European Commission adopted Commission Implementing Regulation (EU) 2025/675 of 4 April 2025⁴ amending LOC&PAS TSI in relation to the unique authorisation of non-passenger-carrying vehicles, that are intended to carry personnel, such as military personnel, railway personnel or fire fighters, as well as to the authorisation of personnel carriages, the UTP LOC&PAS should be revised to integrate latest developments at EU level adopted in 2025.

In relation to other points of proposed decisions of the CTE:

- Point 1 of proposed decisions of the CTE would ensure integrating latest developments at EU level in UTP WAG latest developments at EU level;
- Point 3 of proposed decisions of the CTE would ensure integrating latest developments at EU level in the application guides for the UTP LOC&PAS and for the UTP PRM;

⁴ Commission Implementing Regulation (EU) 2025/675 of 4 April 2025 amending Regulation (EU) No 1302/2014 concerning a technical specification for interoperability relating to the rolling stock — locomotives and passenger rolling stock subsystem of the rail system in the European Union and Implementing Decision 2011/665/EU on the register of authorised types of railway vehicles (OJ L, 2025/675, 7.4.2025, ELI: http://data.europa.eu/eli/reg_impl/2025/675/oj).

- Point 4 of proposed decisions of the CTE would ensure integrating latest developments at EU level in the uniform format of certificates, which includes instructions concerning the scope and validity of certificates issued;
- Points 5 and 6 of proposed decisions of the CTE would trigger reporting on the development of specifications for and the implementation of ATMF UR;
- Point 7 of proposed decisions of the CTE would ensure the update of handbook for the implementation and application of the APTU and ATMF UR based on return from experience of COTIF Contracting States;
- Point 8 of proposed decisions of the CTE would allow to investigate possible evolution of UTPs to 1520 mm gauge system and GCC systems;
- Point 9 of proposed decisions of the CTE would trigger reporting on digitalisation activities in the scope technical interoperability to facilitate international traffic.

Proposed Union position:

In relation to the TSI Telematics, as point 2. of proposed decisions of the CTE:

To request the OTIF Secretariat to prepare the following for the 18th CTE:

- Proposal for the adoption of a revised version of the UTP TAF taking into account the EU's TSI Telematics
- A report on the development of provisions related to telematics, taking into account the EU's TSI Telematics and identifying the elements that:
 - would also be relevant for international passenger traffic;
 - may require further discussions with relevant organs of OTIF for the revision of CIV and CIM.

In relation to the UTP LOC&PAS, as new point for proposed decisions of the CTE:

To request the OTIF Secretariat to prepare for the 18th CTE a proposal for the adoption of a revised version of the UTP LOC&PAS, in order to integrate the latest developments at EU level.

In relation to other points of proposed decisions of the CTE:

To support decision of the CTE proposed under points 1 and 3 to 9, as described in document TECH-25018.

Item 8 – Any other business

Proposed Union position:

Comments, if any, and position to be coordinated at the Council Land Working Party, compiling contributions from the EU Member States.
