Kaderverband des öffentlichen Verkehrs KVöV
Associazione dei quadri dei trasporti pubblici AQTP
Association des cadres des transports publics ACTP
www.kvoev.ch www.actp.ch

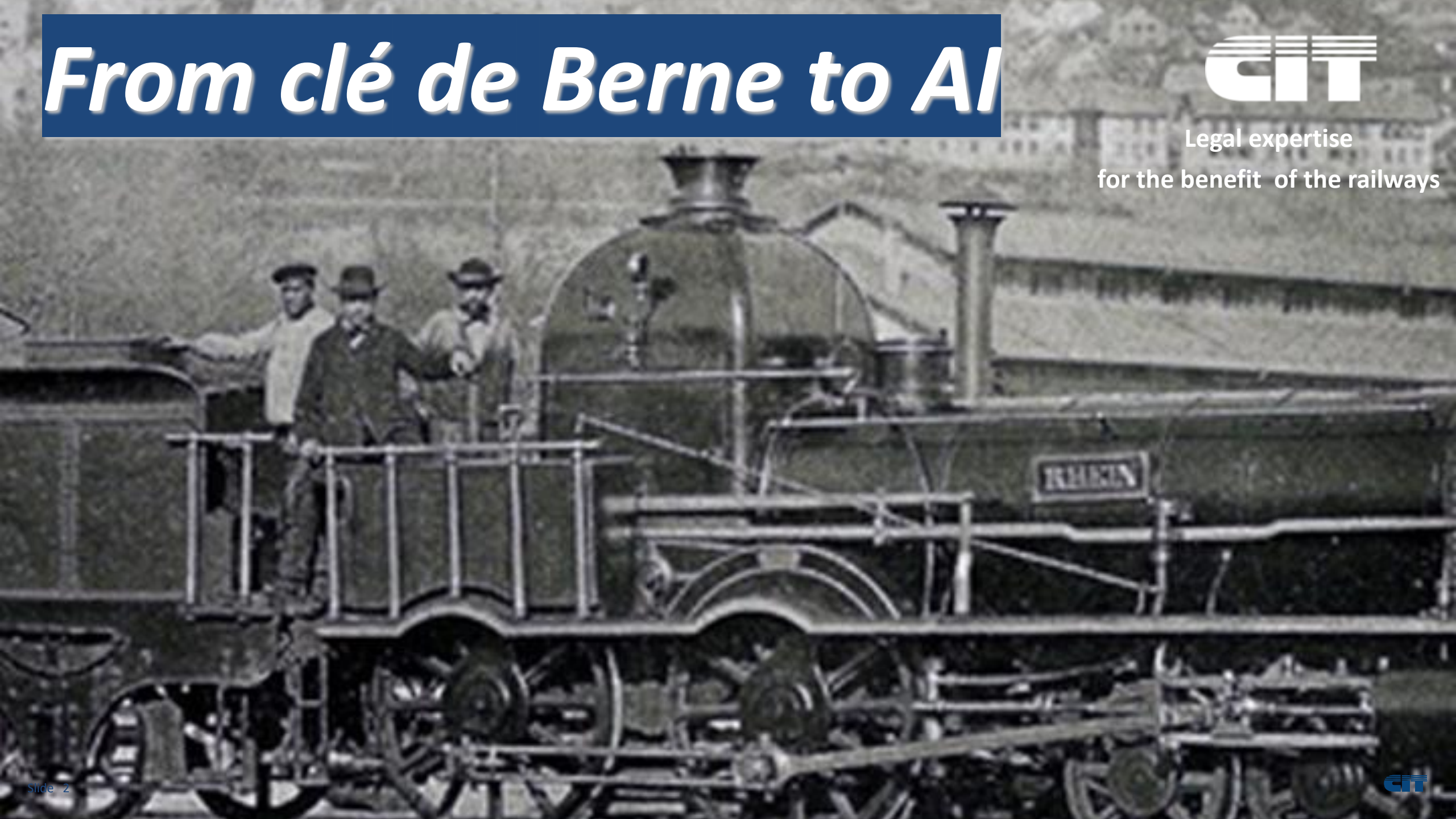
Herzlich willkommen!

Nationaler Anlass CH 2/2026

«125 Jahre CIT: von Clé de Berne bis KI»
Dr. Erik Evtimov, Secretary General, CIT

From clé de Berne to AI

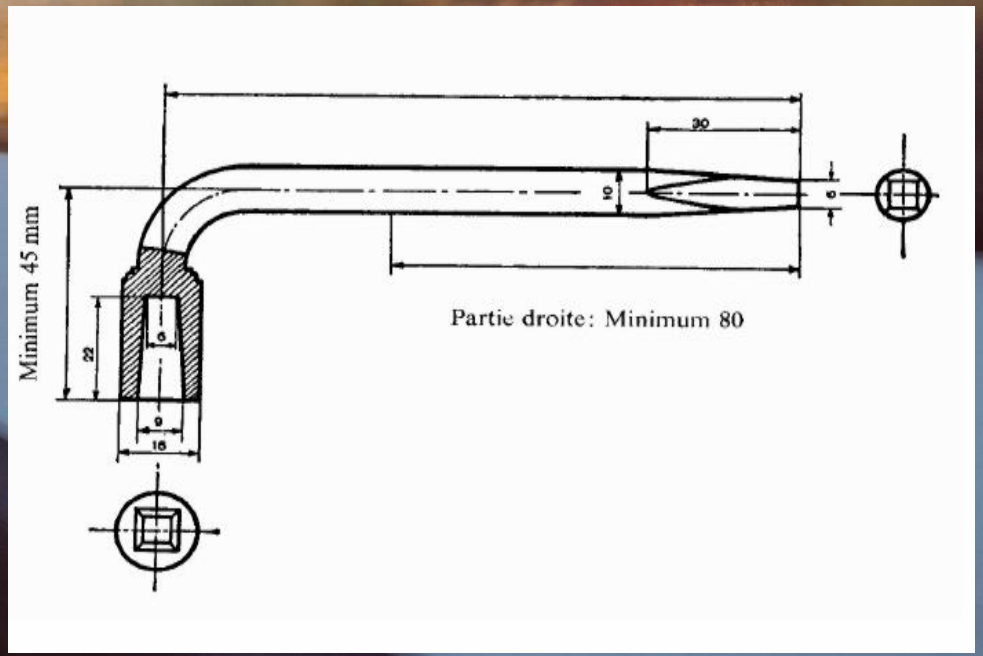
Legal expertise
for the benefit of the railways



The legal history of rail in Bern

- Start-up 1.0 since 1826
- Key of Bern?
- … Bernese space?
- … e=mc2
- AI

** Technical interoperability for rail since 1886*



The legal history of rail (1)

- The diplomatic conference in Bern 1878 and the follow-ups
- The opening of the Gotthard tunnel (1882)
- Technical standardisation and uniformity (1882-1886 in Bern)
- From voluntary agreements to intergovernmental Bernese convention 1893
- Intergovernmental conference on unified law for international rail transport (Bern, 14 October 1890)
- *Nine* continental states: Austro-Hungary, Belgium, France, Germany, Italy, Luxemburg, the Netherlands, Russia and Switzerland
- Continental powers *versus* the maritime power of the Britain Empire
  - *"The Trans-Siberian railroad will become one of the greatest trade routes in human history. It is destined to undermine the British sea-borne trade…"*, Archibald R. Colquhoun, British administrator and economist, 1900
  - 1435mm *versus* 1520mm
- Establishing of the *Central Office* in Bern (OCTI, 1893)
- The creation of the International Rail Transport Committee in Bern (CIT, 1902)

The legal history of rail (2)

- The First World War and the Peace treaties from Versailles, St. Germain, Trianon, Neuilly and Lausanne
- The time between the wars: the League of Nations (1919)
- The economic conferences from Genoa, Rapallo and Portorosa (1921) – creation of the UIC
- The revision conference from Rom (1934)
- Non application of the international rail transport law by the Soviet Union
- Bilateral agreements with the neighbouring countries
- The Second World War
- Separation of the unified international rail transport law (1951-1956)
- The creation of the dual legal system: CIM/CIV *versus* SMGS/SMPS
- The legal challenge for the future: *Single Eurasian Rail Transport Law*

The legal history of rail (3)

- *International Convention* concerning the carriage of *goods* by rail (Bernese Convention – come in to effect on 1 January 1893)

- *Agreement* on the international carriage of *goods* by rail (AIM – 1 July 1907)
- *Agreement* on the international carriage of *passengers* and *luggage* by rail (AIV – 1 October 1928)

- *International Convention* concerning the carriage of *goods* by rail (CIM – 7 February 1970)
- *International Convention* concerning the carriage of *passengers* and *luggage* by rail (CIV – 7 February 1970)

- Convention concerning international carriage by rail of 9 May 1980 – **COTIF 1980**

- Protocol of 3 June 1999 for the *modification* of the Convention concerning international carriage by rail – **COTIF 1999** (Vilnius protocol)

The legal history of rail (4)

- **COTIF 1980** – applicable from 1 May 1985
  - 2 Appendixes for international carriage of *passengers* and *luggage* (Appendix A: CIV)
  - and *goods* (Appendix B: CIM)
    - Regulations concerning the international carriage of *dangerous goods* by rail (RID – Annex I of Appendix B to COTIF 1980)
    - Regulations concerning the international haulage of *private* owners' *wagons* by rail (RIP – Annex II of Appendix B to COTIF 1980)
    - Regulations for the reciprocal use of carriage of *containers* by rail (RICo – Annex III of Appendix B to COTIF 1980)
    - Regulations concerning the international carriage of *express parcels* by rail (RIEx – Annex IV of Appendix B to COTIF 1980)

- Regulation on the reciprocal use of wagons in international traffic (RIV, 1922)
- Regulation for the reciprocal use of carriages and brake vans in international traffic (RIC, 1922)

- SMGS – Convention concerning international *goods* traffic by rail (1951)
- SMPS – Convention concerning international *passenger* traffic by rail (1951)

Vilnius Protocol 1999

COTIF

Convention concerning
International Carriage by Rail

Protocol on the Privileges and
Immunities of **OTIF**

Appendix A	Appendix B	Appendix C	Appendix D	Appendix E	Appendix F	Appendix G
UR CIV	**UR CIM**	**RID**	**UR CUV**	**UR CUI**	**UR APTU**	**UR ATMF**
Uniform Rules concerning the Contract for International Carriage of Passengers by Rail		Regulations concerning the International Carriage of Dangerous Goods by Rail	Uniform Rules concerning the Contracts of Use of Vehicles in International Rail Traffic	Uniform Rules concerning the Contract of Use Of Infrastructure In International Rail Traffic	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	Uniform Rules concerning the Technical Admission of Railway Material used in International Traffic

COTIF 1999: scope of application of the Vilnius Protocol

- Creation of International Organisation (OTIF), article 1 **§** 1 COTIF
- Headquarters and Secretariat of OTIF in Bern
- Aim of OTIF (Article 2 paragraph 1 COTIF):
  - establishing a system of **uniform law** for the contract of international carriage of *passengers* and *goods* by rail
  - carriage of *dangerous goods* in international rail traffic
  - including complementary carriage by other modes of transport subject to a *single contract*
  - contracts of *use of wagons* as means of transport in international rail traffic
  - contract of *use of infrastructure* in international rail traffic
- *Organisational clause* for the international cooperation of the OTIF member states – Article 3 paragraph 1 COTIF
- The *disconnection clause* in Article 3 paragraph 2 COTIF
- Uniform rules – Article 6 paragraph 1 COTIF

COTIF 1999 content and legal architecture

- **COTIF 1999** – applicable starting from 1 July 2006
  - Basic agreement
  - 7 Appendixes governs the international rail traffic and admission of railway material (article 6 § 1 COTIF)
    - **CIV** (Appendix A): *Uniform rules* concerning the *Contract* of international carriage of *passengers* by rail
    - **CIM** (Appendix B): *Uniform rules* concerning the *Contract* of international carriage of *goods* by rail
    - **RID** (Appendix C): *Regulation* concerning the International carriage of *dangerous goods* by rail
    - **CUV** (Appendix D): *Uniform rules* concerning *Contracts* of *use of vehicles* in international rail traffic
    - **CUI** (Appendix E): *Uniform rules* concerning the *Contract* of *use infrastructure* in international rail traffic
    - **APTU** (Appendix F): *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
    - **ATMF** (Appendix G): *Uniform rules* concerning Technical **A*dmission*** of railway material used in international traffic

From paper to date – the new oil for the global economy

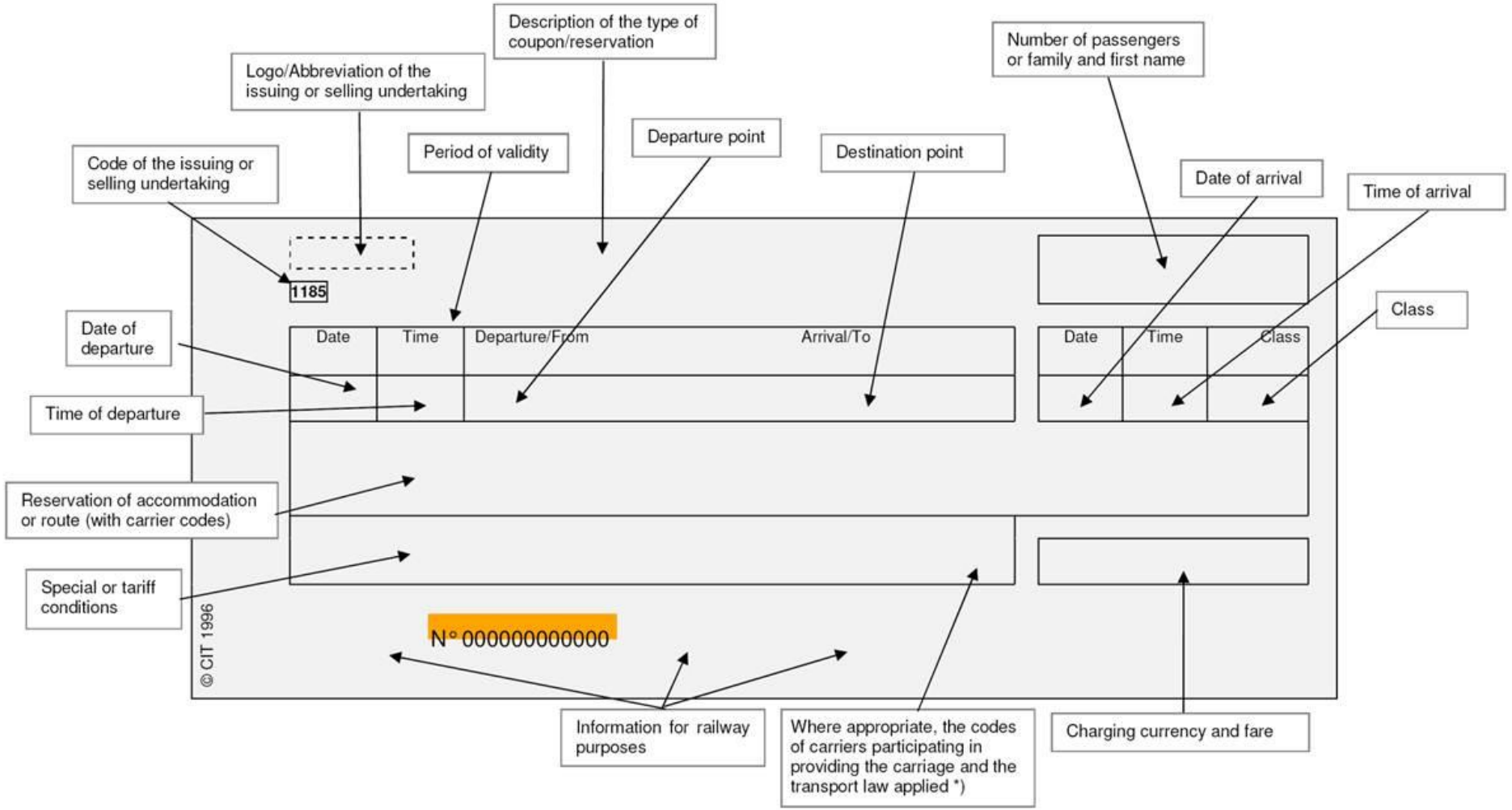
- European Strategy for Data
- Data Governance Act
- Data Act
- Digital Service Act
- Digital Market Act
- Open Data Directive
- European Digital Mobility Space
- AI

Digitalisation as a megatrend for the CIT

- **From pear-to-pear to AI**
- EU eFTI Regulation
- EU TEL TSI
- EU DTLF Project
- Electronic seals/IRS40426
- **CIT Products for Passenger and Freight**
- eTicket/eCN
- Digitisation of the wagon damage report
- Use of the electronic wagon note



UIC RCT2 layout for international tickets – article 7 §§ 1 and 2 CIV



Implementation of the functional equivalence

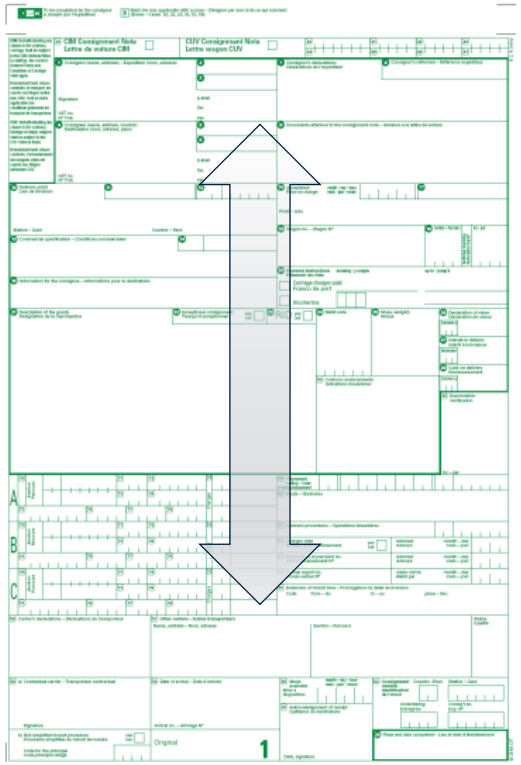
- Legal specification
  - → Implementation of Articles 6 and 7 CIV
- Functional implementation
  - → CIT Manual for International Rail Tickets (MIRT), Working Manual D “Electronic tickets”
  - → Access and security of data
  - → Data validation
- Technical implementation
  - → Technical data descriptions of UIC Leaflets (RCT2); TAP TSI (ERA B5/11-B7/13); EU TEL TSI)



Article 6 § 9 CIM – eConsignment 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.

Consignor



Carrier

Functional equivalence between the paper form of the consignment note and its electronic data version

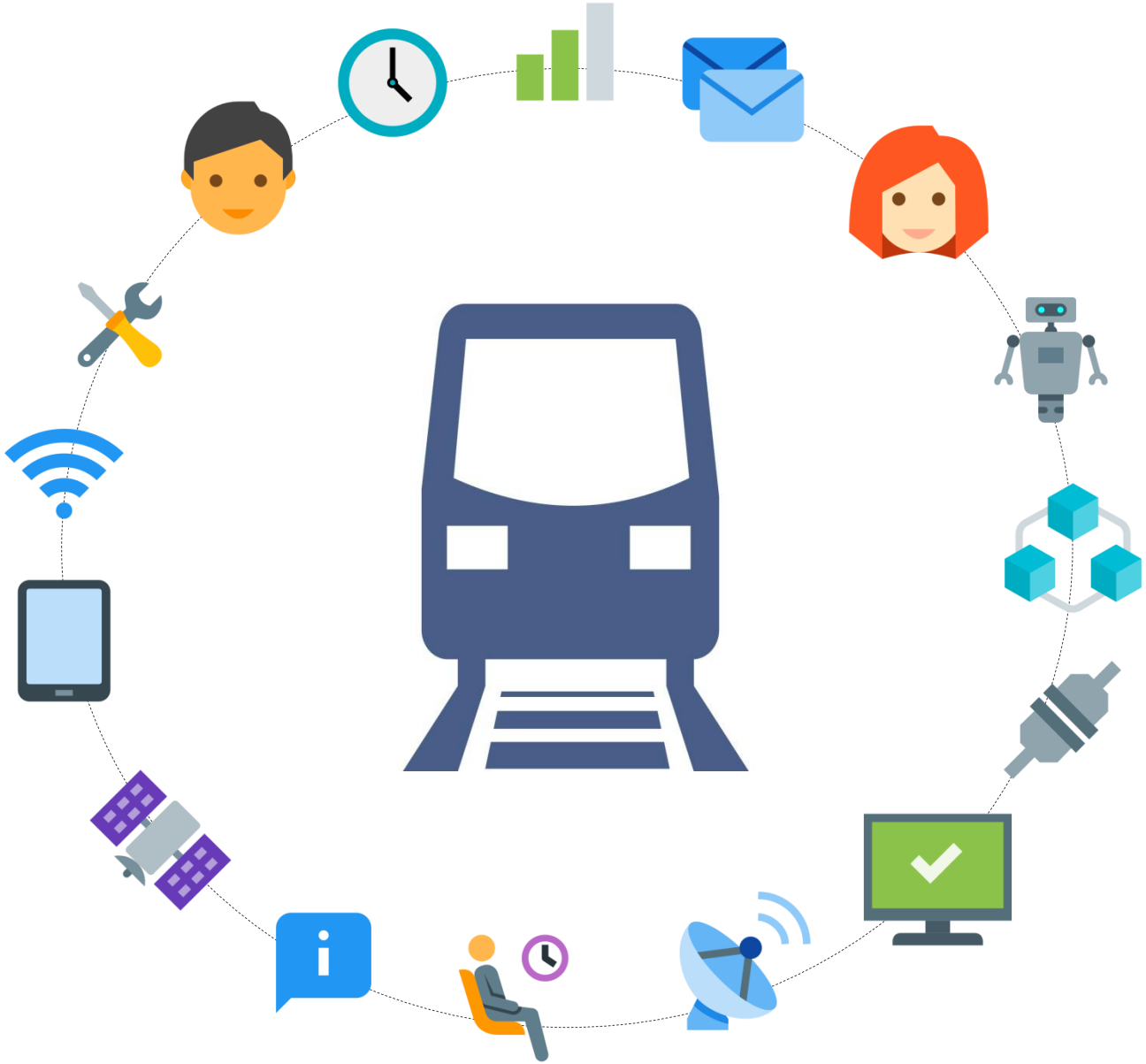
Paper form of the consignment note		Electronic data version	Complexity[1]	
Acceptance of the consignment note (with boxes 1 to 30) or with order of carriage	>	EDI-Message Alternative: Web-application		
Signature of the consignor	>	Electronic signature *Alternative: equivalent procedure*		Electronic Signature
Signature of contractual carrier	>	Electronic signature *Alternative: equivalent procedure*		Electronic Signature
Handover the duplicate of the consignment note to theconsignor	>	EDI-Message *(evtl. with electronic signature)*		Electronic Signature
Handover in own hands between carriers (at the same time as the goods)	>	EDI-Message *(evtl. with electronic signature)* Documentation of acceptance of the wagon and the consignment note		Electronic Signature
		Procédure via a central system (ORFEUS-Scenario) / supplier : evtl. electronic signature électronique via the central system or via supplier		Electronic Signature
Additions and changes in the consignment note are visible	>	Electronic management of the different versions (incl. archiving) evtl. Up-dating of the consignment note via EDI-Message		Electronic Signature

1) In the colored boxes, the cause of the possible increase in the degree of complexity is given as keyword.

Roadmap for digital railways



Making railways digital





Thank you!

Questions & answers

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Legal expertise for the benefit of the railways