



Brussels, 21 February 2024  
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**'I/A' ITEM NOTE**

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| From:           | General Secretariat of the Council  |
| To:             | Permanent Representatives Committee/Council   |
| No. prev. doc.: | ST 6581/24 + ADD 1  |
| No. Cion doc.:  | ST 6230/24 + ADD 1  |
| Subject:        | Council Decision on the position to be taken on behalf of the European Union at the 12th session of the Preparatory Commission for the establishment of the International Registry for Railway Rolling Stock and at the 1st session of the Supervisory Authority established pursuant to Article XII of the Luxembourg Protocol to the Convention on International Interests in Mobile Equipment on Matters specific to Railway Rolling Stock<br>– Adoption |

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1. The Protocol to the Convention on International Interests in Mobile Equipment on Matters specific to Rail Rolling Stock ('the Luxembourg Protocol'), adopted on 23 February 2007 in Luxembourg, establishes a worldwide legal framework for the recognition, priorities and enforcement of creditor and lessor rights, as well as a system for the allocation of identification numbers by the Registrar which enable the unique identification of items of railway rolling stock.
2. By means of Council Decision 2014/888/EU<sup>1</sup>, the European Union approved the Luxembourg Protocol in respect of its competences as defined in the Declaration annexed to that Decision.

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<sup>1</sup> OJ L 353, 10.12.2014, p. 9.

3. The 12<sup>th</sup> session of the Preparatory Commission for the Establishment of the International Registry for Railway Rolling Stock (Provisional Supervisory Authority) and the 1<sup>st</sup> session of the Supervisory Authority of the Luxembourg Protocol are scheduled to take place in Bern, Switzerland, on 7 and 8 March 2024 respectively.
4. On 26 January 2024, the Commission submitted to the Council an information note with an outline of the draft position to be taken on the Union's behalf at the above-mentioned meetings. A formal Commission proposal followed on 6 February 2024.
5. The proposal for a Council Decision concerns the position to be taken on the Union's behalf in connection with the envisaged adoption of:
  - a) the Statutes and Rules of Procedures of the Supervisory Authority;
  - b) the Agreement between the Supervisory Authority of the Luxembourg Protocol and the Intergovernmental Organisation for International Carriage by Rail (OTIF) regarding the functions of the Secretariat;
  - c) the Regulations and Procedures of the International Registry for Railway Rolling Stock;
  - d) the Model Rules on Permanent Identification of Railway Rolling Stock developed in the framework of the Inland Transport Committee of the United Nations Economic Commission for Europe (UNECE).
6. The information note and the proposal were discussed in the Working Party on Land Transport respectively on 30 January and 13 February 2024. No changes to the draft position were requested by the delegations, therefore the deliberations at working party level were considered closed.
7. In view of the above, the Permanent Representatives Committee is invited to confirm its agreement on the draft Decision as set out in the document ST 6581/24, revised by the lawyer-linguists, and its addendum 1, and to forward it to the Council for adoption.
8. Once the Decision has been adopted, the European Parliament will be informed thereof.