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NOTE

From:	General Secretariat of the Council
To:	Delegations
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Subject:	Annex to the COUNCIL DECISION (EU) 2026/... of ... on the position to be taken on behalf of the European Union at the third session of the Supervisory Authority established pursuant to the Luxembourg Protocol to the Convention on International Interests in Mobile Equipment on Matters Specific to Railway Rolling Stock

1. Introduction

The third session of the Supervisory Authority of the Protocol to the Convention on International Interests in Mobile Equipment on Matters Specific to Railway Rolling Stock adopted in Luxembourg on 23 February 2007 ('Luxembourg Protocol') will take place on 14 April 2026.

2. Union competence

The European Union is a contracting party to the Luxembourg Protocol. The Union has exclusive competence in respect of this meeting's agenda items where the Supervisory Authority will be called upon to adopt acts having legal effects within the meaning of Article 218(9) of the Treaty on the Functioning of the European Union (TFEU) – namely Agenda Items 9 and 10.

3. Comments on agenda items of the third session of the Supervisory Authority

Agenda Item 9. Model Rules

Document(s)	LUX-26011-SA3-09-Model Rules.pdf
Exercise of voting rights	European Union
Position	<p>To change the decision to be taken by the Supervisory Authority to: <i>‘The Supervisory Authority:</i></p> <p><i>- notes the modifications to the Model Rules on the Permanent Identification of Railway Rolling Stock (Revision 3) discussed at the third session of the Revision Committee to the Model Rules for the Permanent Identification of Railway Rolling Stock, held in September 2025;’</i></p> <p>If the Model Rules do not enter into force until the third session of the Supervisory Authority takes place:</p> <p><i>‘- notes that the modifications of those Model Rules should only enter into force at the time of publication of the report of the seventy-ninth session the United Nations Economic Commission for Europe (UNECE) SC.2 Working Party on Rail Transport;</i></p> <p><i>- postpones any action on the approval of Revision 3 of those Model Rules until such rules enter into force.’</i></p> <p>If the Model Rules enter into force until the third session of the Supervisory Authority takes place, and corresponds to the unofficial version published on the website of UNECE¹:</p> <p><i>‘- approves the Model Rules (Revision 3)’</i></p>

¹ https://unece.org/sites/default/files/2026-02/ECE-TRANS-SC.2-337-Rev.3EFR_Unofficial.pdf

Agenda Item 10. Statutes and Rules of Procedure

Document(s)	LUX-26012-SA3-10-Statutes and Rules of Procedure (&ad).pdf
Exercise of voting rights	European Union
Position	<p>In favour of the approval of the proposed amendments to the Statutes.</p> <p>In favour of the approval of the proposed amendments to the Rules of Procedure, subject to the following amendments:</p> <ul style="list-style-type: none">- in Article 16(6), point (c), replace ‘two weeks’ with ‘10 weeks’;- in Article 16(7), remove ‘or where so decided by the Supervisory Authority’ from the introductory paragraph.
