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LEGISLATIVE ACTS AND OTHER INSTRUMENTS

Subject:	COUNCIL DECISION on the position to be taken on behalf of the European Union at the second 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

COUNCIL DECISION (EU) 2025/

of …

on the position to be taken on behalf of the European Union at the second 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

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 91, in conjunction with Article 218(9) thereof,

Having regard to the proposal from the European Commission,

Whereas:

(1) The Union approved the Protocol to the Convention on International Interests in Mobile Equipment on Matters Specific to Railway Rolling Stock (the 'Cape Town Convention'), adopted in Luxembourg on 23 February 2007 (the 'Luxembourg Protocol'), by means of Council Decision 2014/888/EU[1] and acquired the status of a Regional Economic Integration Organisation under that Protocol.

(2) During its second session on 23 April 2025, among other agenda items, the Supervisory Authority established pursuant to Article XII of the Luxembourg Protocol (the 'Supervisory Authority') is expected to revise its Statutes and Rules of Procedure and to approve the Model Rules on Permanent Identification of Railway Rolling Stock, developed in the framework of the Inland Transport Committee of the United Nation Economic Commission for Europe (the 'Model Rules') as amended on 13 November 2024 (Revision 2).

[1] Council Decision 2014/888/EU of 4 December 2014 on the approval, on behalf of the European Union, 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 (OJ L 353, 10.12.2014, p. 9, ELI: http://data.europa.eu/eli/dec/2014/888/oj).

(3) It is appropriate to establish the position to be taken on the Union's behalf at the second session of the Supervisory Authority, as the proposed revision of the Model Rules by the Supervisory Authority is capable of decisively influencing the content of Union legislation, namely Directive (EU) 2016/797 of the European Parliament and of the Council[2], Commission Implementing Regulation (EU) 2019/773[3] and Commission Implementing Decision (EU) 2018/1614[4]. Furthermore, the amendments to the Statutes and Rules of Procedures to be adopted by the Supervisory Authority are capable of decisively influencing the participation of the Union in that body.

(4) The Supervisory Authority is expected to amend its Statutes, which define aspects such as its legal personality, tasks and administrative framework, as required by the Cape Town Convention and by the Luxembourg Protocol. The envisaged amendments to the Statutes clarify the definition of State Party by clarifying that any reference to a State Party in the Statutes is also a reference to a *Regional organisation*, which affects the Union's participation in that body, and should therefore be supported.

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2 Directive (EU) 2016/797 of the European Parliament and of the Council of 11 May 2016 on the interoperability of the rail system within the European Union (OJ L 138, 26.5.2016, p. 44, ELI: http://data.europa.eu/eli/dir/2016/797/oj).

3 Commission Implementing Regulation (EU) 2019/773 of 16 May 2019 on the technical specification for interoperability relating to the operation and traffic management subsystem of the rail system within the European Union and repealing Decision 2012/757/EU (OJ L 139I, 27.5.2019, p. 5, ELI: http://data.europa.eu/eli/reg_impl/2019/773/oj).

4 Commission Implementing Decision (EU) 2018/1614 of 25 October 2018 laying down specifications for the vehicle registers referred to in Article 47 of Directive (EU) 2016/797 of the European Parliament and of the Council and amending and repealing Commission Decision 2007/756/EC (OJ L 268, 26.10.2018, p. 53, ELI: http://data.europa.eu/eli/dec_impl/2018/1614/oj).

(5) The Supervisory Authority is expected to amend its Rules of Procedure in order to clarify the rules on the exercise of qualified majority voting and to introduce new rules on the organisation of interim urgent meetings. The possibility of circulating documents for urgent meetings only three weeks before the meeting opens may however lead to significant difficulties in the procedure for coordinating Union positions, and setting up a list of urgent matters could automatically provide an urgent character to matters that are not, in practice, urgent. The amendments to the Rules of Procedure of the Supervisory Authority should therefore be supported, except for the change to the deadlines for delivering the documents for the meeting and without specifying the matters that may be qualified as urgent, in order to ensure that the possibilities for the Union to coordinate positions on matters of Union relevance are effectively ensured.

(6) The Luxembourg Protocol needs to rely on a clear identification and marking system of railway rolling stock based on international standards. The Model Rules provide a framework for the assignment of the URVIS identifier and its marking on railway rolling stock. Minor updates to those rules are proposed and are in the interest of the operation of the Luxembourg Protocol. The approval of the Model Rules as amended on 13 November 2024 (Revision 2) for the purposes of the Regulations for the International Registry of Interests in Rolling Stock should therefore be supported,

HAS ADOPTED THIS DECISION:

Article 1

The position to be taken on the Union's behalf at the second session of the Supervisory Authority established pursuant to 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 (the 'Supervisory Authority') is set out in the Annex to this Decision.

Minor changes to the positions expressed in the Annex to this Decision may be agreed by the representatives of the Union at the meeting of the Supervisory Authority without further decision of the Council.

Article 2

This Decision shall enter into force on the date of its adoption.

Done at …, …

For the Council
The President