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'I/A' ITEM NOTE

From: General Secretariat of the Council
To: Permanent Representatives Committee/Council
Subject: EU coordinated position at the 18th 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 18th 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 9 June 2026.
2. The agenda of the meeting includes proposals for adoption of decisions having legal effects for the Union, 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 8956/26.

3. On 28 April 2026, the Commission submitted to the Council a non-paper on positions to be taken on behalf of the European Union at the 18th session of CTE with regard to the agenda items that do not entail legal effects.
 4. On 5 May 2026, the Working Party on Land Transport examined the non-paper together with the proposal for a Council Decision. There were no comments on the substance of positions. However, delegations argued that the position on the amendments to the handbook for the implementation and application of the APTU and ATMF, originally included in the Commission proposal, should rather be included among the positions concerning items without legal effects for the Union, because the handbook as such is non-legally binding under COTIF.
 5. Based on Member States' comments, the Presidency prepared a revised position concerning items without legal effects, which was considered by the Working Party on Land Transport on 12 May 2026.
 6. Delegations raised no further comments on the revised position, and therefore the deliberations at working-party level were considered closed.
 7. 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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Positions to be taken on behalf of the European Union at the 18th session of the OTIF Committee of Technical Experts, 9 June 2026, Berne

- agenda items that do not entail legal effects -

Introduction

The Intergovernmental Organisation for International Carriage by Rail (OTIF) is an intergovernmental organisation dedicated to international rail transport. It develops uniform legal regimes for international rail transport in three major areas of activity: interoperability and safety, dangerous goods and railway contract law.

Aspects related to interoperability and safety are addressed, in particular, by the OTIF's Committee of Technical Experts (CTE). The CTE has competence in matters of interoperability and safety of international rail traffic. In particular, it prepares draft amendments to the Uniform Rules laid down in Appendices F (APTU), G (ATMF) and H (ESR) to COTIF and the associated Uniform technical prescriptions (UTPs), common safety methods (CSMs) and corresponding application guides.

The 18th session of OTIF's CTE will take place in Bern on 9 June 2026. The agenda of the meeting and the documents related to the proposals for adoption are available on the OTIF website https://otif.org/en/?page_id=1025.

This document establishes the positions to be taken on behalf of the Union on the acts to be adopted by the CTE which are deemed not to entail legal effects. It supplements a parallel and distinct proposal for a Council Decision presented on the basis of Article 218(9) of the Treaty on the Functioning of the European Union (TFEU), covering those agenda items in which decisions that have legal effects will be taken.

The agenda of the meeting includes the following items that do not entail the adoption of decisions having legal effects:

- Item 1 – Adoption of the agenda
- Item 6 – Items concerning the approval of proposals for non-binding guidance and recommendations:
 - Item 6.1 – Modification of the guide for the application of the UTP LOC&PAS
 - Item 6.2 – Modification of the guide for the application of the UTP PRM
 - Item 6.3 – Modification of the Handbook for the implementation and application of the APTU and ATMF Uniform Rules
 - Item 6.4 – Explanatory document concerning ECM certification
- Item 7 – Further items for consideration:
 - Item 7.1 – Digitalisation and the role of OTIF
 - Item 7.2 – Developments related to telematics and the UTP TAF
 - Item 7.3 – Monitoring and assessing the implementation and application of the ATMF UR
 - Item 7.4 – Covering additional technical systems in UTPs (multi-system wagons)

- Item 7.5 – Applying OTIF technical rules domestically
- Item 8 – Work programme of the Committee
- Item 9 – Stakeholder engagement

The other points of the agenda of this session are either covered by the proposal for an Article 218(9) Council Decision, are information points or are not expected to require the adoption of a decision.

Union competence and exercise of voting rights

The European Union is a contracting party to the Convention concerning International Carriage by Rail (COTIF).

Pursuant to Article 6(1), (2) and (3) of the Agreement between the European Union and the Intergovernmental Organisation for International Carriage by Rail on the Accession of the European Union to the COTIF approved by Council Decision of 16 June 2011²:

“1. For decisions in matters where the Union has exclusive competence, the Union shall exercise the voting rights of its Member States under the Convention.

2. For decisions in matters where the Union shares competence with its Member States, either the Union or its Member States shall vote.

3. Subject to Article 26, paragraph 7, of the Convention, the Union shall have a number of votes equal to that of its Member States who are also Parties to the Convention. When the Union votes, its Member States shall not vote”.

Even though the agenda items listed above refer to decisions which do not entail legal effects, they are all strictly related to 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 (**APTU UR**), or to Appendix G – Uniform Rules concerning the Technical Admission of Railway Material used in International Traffic (**ATMF UR**) to COTIF. These Appendices concern the interoperability and safety of international rail traffic, an area largely covered by Union rules, and thus falling under the exclusive competence of the Union.

The proposed Union positions are intended to ensure full alignment with the corresponding Union rules developed under Directive (EU) 2016/797³ and (EU) 2016/798⁴.

² OJ L 51, 23.2.2013, p. 8.

³ 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, pp. 44, ELI: <http://data.europa.eu/eli/dir/2016/797/oj>).

⁴ Directive (EU) 2016/798 of the European Parliament and of the Council of 11 May 2016 on railway safety (recast) (OJ L 138, 26.5.2016, pp. 102, ELI: <http://data.europa.eu/eli/dir/2016/798/oj>).

In respect to the above agenda items, point 3.1 of the “Internal Arrangements” (Annex III of Council Decision 2013/103/EU⁵) should therefore be followed. The Union, represented by the Commission, shall therefore voice, and where relevant send in writing to the OTIF Secretariat, the Union positions, and exercise the voting rights of the Union.

Proposed Union positions

Item 1 – Adoption of the agenda

Proposed Union position:

To vote in favour of the adoption of the agenda.

Item 6 – Items concerning approval of non-binding guidance and recommendations

Item 6.1 – Modification of the guide for the application of the UTP LOC&PAS

Background information:

Document [TECH-26007-CT18-6.1](#) contains a new version of the guide for the application of the Uniform Technical Prescription applicable to the subsystem “rolling stock – locomotives and passenger rolling stock” (UTP LOC&PAS). It provides non-binding guidance and does not contain any legal requirements. The purpose of this document is solely to facilitate the uniform application of the UTP LOC&PAS.

The basis for the proposed modifications is to align the guide with the European Union Agency for Railways (ERA) guide for the application of the LOC&PAS TSI⁶, with reference GUI/LOC&PAS TSI/2023, Version 4.0, dated 16 February 2024.

Proposed Union position:

To vote in favour of the approval of the new version of the guide for the application of the UTP LOC&PAS, as set out in document [TECH-26007-CT18-6.1](#).

⁵ Council Decision 2013/103/EU of 16 June 2011 on the signing and conclusion of the Agreement between the European Union and the Intergovernmental Organisation for International Carriage by Rail on the Accession of the European Union to the Convention concerning International Carriage by Rail (COTIF) of 9 May 1980, as amended by the Vilnius Protocol of 3 June 1999 (OJ L 51, 23.2.2013, p. 1).

⁶ Commission Regulation (EU) No 1302/2014 of 18 November 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 (OJ L 356, 12.12.2014, p. 228, ELI: <http://data.europa.eu/eli/reg/2014/1302/oj>).

Item 6.2 – Modification of the guide for the application of the UTP PRM

Background information:

Document [TECH-26008-CT18-6.2](#) contains a new version of the guide for the application of the Uniform Technical Prescription applicable to the accessibility of the rail system for persons with disabilities and persons with reduced mobility (UTP PRM). It provides non-binding guidance and does not contain any legal requirements. The purpose of this document is solely to facilitate the uniform application of the UTP PRM.

The basis for the proposed modifications is to align the guide with the ERA guide for the application of the PRM TSI⁷, with reference GUI/PRM TSI/2023, version 2.0, dated 8 December 2023.

Proposed Union position:

To vote in favour of the approval of the new version of the guide for the application of the UTP PRM, as set out in document [TECH-26008-CT18-6.2](#).

Item 6.3 – Modification of the Handbook for the implementation and application of the APTU and ATMF Uniform Rules

Background information:

Document [TECH-26009-CTE18-6.3](#) contains a new version of the handbook for the implementation and application of the APTU Uniform Rules (Appendix F to COTIF) and the ATMF Uniform Rules (Appendix G to COTIF). The handbook outlines the requirements for implementing and applying the APTU and the ATMF for international transport by rail, and describes the various roles and responsibilities in connection with implementation and application. It is intended to serve as a practical reference for OTIF members and states interested in acceding to COTIF, particularly for the authorities, entities and actors in their respective railway sectors.

The CTE is empowered to adopt the handbook and their modifications as recommendations in accordance with Article 21(4) of ATMF. While the handbook (and thus the envisaged amendment thereto) would inform the way in which the EU implements its obligations under COTIF, the handbook as such is non-legally binding under COTIF.

The update of the handbook for the implementation and application of the APTU and ATMF is necessary in order to take into account return from experience of COTIF Contracting States. It is generally in line with the law and the strategic objectives of the Union, and contributes to the alignment of OTIF legislation with the equivalent provisions of Union law. However, some modifications should be introduced on this handbook, in particular to clarify that the mutual acceptance of assessment bodies by all Contracting States for the purpose of the ATMF UR is strictly limited to vehicles intended to be used in international traffic, in order to ensure alignment with the relevant EU acquis and that the applicable market-related rules established at domestic or EU level are taken into account.

⁷ Commission Regulation (EU) No 1300/2014 of 18 November 2014 on the technical specifications for interoperability relating to accessibility of the Union's rail system for persons with disabilities and persons with reduced mobility (OJ L 356, 12.12.2014, pp. 110, ELI: <http://data.europa.eu/eli/reg/2014/1300/oj>).

Proposed Union position:

To vote in favour of the proposed update of the handbook for the implementation and application of the APTU and ATMF, as found in the document TECH-26009-CTE18-6.3, subject to the following amendments:

- (a) Across the overall text, review the cross-references between the different parts of the Handbook, and align them with the latest table of contents;
- (b) In points 112 and 202, complete the last sentence by “, if so allowed by the applicable market related rules established at domestic or EU level, as appropriate.”;
- (c) In point 201, in the third sentence, replace “Vehicles” by “Vehicles in international traffic in the scope of the ATMF UR”.

Item 6.4 – Explanatory document concerning ECM certification

Background information:

Document [TECH-26010-CT18-6.4](#) contains a new Explanatory Document for the application of Annex A to ATMF UR laying down rules for the certification and auditing of entities in charge of maintenance (ECM). It is intended for all interested parties to promote uniform application of Annex A to ATMF UR.

It provides non-binding guidance clarifying certain elements, selected based on practical implementation experience, and does not contain any legal requirements. The purpose of this document is solely to facilitate and promote the uniform application of the Annex A to ATMF UR. However, it does not cover all provisions of this Annex.

Proposed Union position:

To vote in favour of the approval of the explanatory document concerning ECM certification, as set out in document [TECH-26010-CT18-6.4](#).

Item 7 – Items for discussion

Item 7.1 – Digitalisation and the role of OTIF

Background information:

Document [TECH-26011-CT18-7.1](#) explores current and future digitalisation related activities considered in the scope of OTIF.

The Global Gateway Strategy – besides infrastructure projects (hard connectivity) – puts an emphasis on enabling regulatory framework (soft connectivity) that underpins transport connectivity and

interoperability: “The EU will [...] advance the regulatory environment and promote EU and international standards”⁸.

This entails regulatory convergence and standardisation. In the field of railway transport the Intergovernmental Organisation for International Carriage by Rail (OTIF) is a primary vehicle for the promotion of EU rules as EU’s Technical Specifications for Interoperability (TSIs) are transposed by OTIF into Uniform Technical Prescriptions (UTPs) and subsequently taken up by COTIF members.

In that context OTIF’s digitalisation activities are expected to ensure a continued compatibility of COTIF with corresponding EU rules.

As part of this strategy, OTIF could be invited by the Union and by EU COTIF Contracting States to promote COTIF and associated digitalisation activities as common solutions that are also relevant for the development at international level of compatible requirements, e.g. at the United Nations Centre for Trade Facilitation and Electronic Business (UN/CEFACT), the United Nations Economic Commission for Europe (UNECE), the United Nations' Economic and Social Commission for Asia and the Pacific (UNESCAP), and the Organisation for Cooperation between Railways (OSJD).

Proposed Union position:

To confirm EU’s expectations for OTIF’s digitalisation activities to ensure a continued compatibility of COTIF with EU rules.

To invite OTIF Secretariat to promote the requirements laid down in COTIF as common solutions that are also relevant for the development of compatible requirements at international level, e.g. at the United Nations Centre for Trade Facilitation and Electronic Business (UN/CEFACT), the United Nations Economic Commission for Europe (UNECE), the United Nations' Economic and Social Commission for Asia and the Pacific (UNESCAP), and the Organisation for Cooperation between Railways (OSJD).

To take note of document [TECH-26011-CT18-7.1](#) and request the CTE standing working group (WG TECH) and the OTIF Secretariat to take its content into account in their work, subject to the following adaptations (below in bold and underlined when added, and in bold and strikethrough when deleted) of point 35:

35. **Beyond As part of the role of the Committee of Technical Experts, OTIF should primarily ensure ~~could focus on ensuring~~ its rules and recommended practices are compatible with EU rules. existing solutions, Beyond this role and as ~~it~~ OTIF does not have the expertise or capacity to initiate new digital developments itself. ~~As far as this is not the case already,~~ it ~~could~~ ~~should~~ also promote COTIF requirements as common solutions that are relevant to ensure compatibility or find synergies with initiatives of organisations such as the EU, UN/CEFACT, UNECE, UNESCAP, and OSJD, to promote the use of common solutions and avoid fragmentation.**

⁸ Joint Communication to the European Parliament, the Council, the European Economic and Social Committee, the Committee of the Regions and the European Investment Bank ‘The Global Gateway’, 1.12.2021, JOIN(2021) 30 final.

Item 7.2 – Developments related to telematics and the UTP TAF

Background information:

Document [TECH-26012-CT18-7.2](#) explores the impact of the publication and entry into force of Commission Implementing Regulation (EU) 2026/253⁹ (the ‘TSI Telematics’) on future developments of the Uniform Technical Prescriptions applicable to telematics applications for freight services (UTP TAF). It proposes four options for decision of the Committee with regard to such future developments.

The TSI Telematics specifies requirements applicable to telematics applications for both freight and passenger services. It brought together requirements previously applicable distinctively to freight services under now repealed Commission Regulation (EU) No 1305/2014 (TAF TSI), on which the UTP TAF is based, and to passenger services under now repealed Commission Regulation (EU) No 454/2011 (TAP TSI).

Through the UTP TAF, COTIF includes rules for telematics applications so far exclusively related to freight services.

As mentioned above, the current UTP TAF is based on the repealed EU rules laid down in the TAF TSI. It covers processes that are, on the one hand, common to all types of traffic (traffic management, capacity management, and train preparation) but focusing on freight services only, and, on the other hand, processes that are specific to freight services (management of freight wagons and electronic consignment note).

The scope of the TSI Telematics, as defined in Article 2, covers the abovementioned common processes in a consistent manner for both freight and passenger services, as well as processes that are specific to either freight or passenger services.

Proposed Union position:

- (a) To support, in principle, the *Third option*, described as *Alternative D* in the working document [TECH-26012-CT18-7.2](#), subject to the following adaptations (below in bold and underlined when added, and in bold and strikethrough when deleted) of point 49:

49. The third option would entail the following:

The UTP Telematics would be based on the TSI Telematics, its Annex and relevant Appendices.

The UTP Telematics would include the following processes:

- *capacity management*
- *train preparation*

⁹ Commission Implementing Regulation (EU) 2026/253 of 6 February 2026 on a technical specification relating to the telematics subsystem of the rail system in the European Union for interoperability of data sharing in rail transport (TEL TSI) and repealing Regulations (EU) No 454/2011 (TAP TSI) and (EU) No 1305/2014 (TAF TSI) (OJ L, 2026/253, 10.2.2026, ELI: http://data.europa.eu/eli/reg_impl/2026/253/oj).

- *traffic management*
- *management of freight wagons and their load*
- *rail passenger travel information (recommended practice)*
- *rail ticketing (recommended practice), **limited to the following elements relevant for passengers:***
 - **passenger timetable and connection times**
 - **conditions of carriage and accessibility for persons with disabilities and persons with reduced mobility ('PRM')**
 - **barcodes.**

(b) To instruct the CTE standing working group (WG TECH) and the OTIF Secretariat to develop a proposal for the UTP Telematics in preparation for the next CTE.

Item 7.3 – Monitoring and assessing the implementation and application of the ATMF UR

Background information:

Document [TECH-26013-CT18-7.3](#) provides an overview of the implementation and application of ATMF UR by COTIF Contracting States, through a list of objective and subjective indicators according to which they are grouped.

This document also proposes ways of offering assistance to States depending on their group. As part of such assistance, this document proposes to draft questions enquiring how States are transposing and applying the ATMF UR in national legislation, as well as a checklist of States' rights and obligations considered as pivotal.

Proposed Union position:

To take note of document [TECH-26013-CT18-7.3](#), to request the OTIF Secretariat to continue its efforts to carry out the proposed actions in points 23 to 26 of document [TECH-25016-CTE17-6.4](#), and to report its activities to the CTE standing working group (WG TECH) and the CTE.

Item 7.4 – Covering additional technical systems in UTPs (multi-system wagons)

Background information:

Document [TECH-26014-CT18-7.4](#) explores the feasibility and possible approaches to facilitate freight traffic by rail between the Gulf area (Gulf Cooperation Council (GCC) countries) and Europe through the development under COTIF of technical specifications for interoperability for the admission of multi-system wagons in international traffic. Future connectivity to Europe for freight is expected to be ensured through potential corridors addressing the removal of technical and regulatory barriers to cross-border freight.

Section VI of this document elaborates on the conceptual possibilities to develop specifications for such multi-system wagons, and section VIII proposes basic steps to progress towards them.

Proposed Union position:

To take note of document [TECH-26014-CT18-7.4](#), and to request the OTIF Secretariat, in coordination with the CTE standing working group (WG TECH), to continue working on the development under COTIF of specifications for the admission in international traffic of multi-system freight wagons, and to report its findings at next CTE.

Item 7.5 – Applying OTIF technical rules domestically

Background information:

OTIF technical rules were initially specified for application to international traffic only.

Section IV of this document describes the potential benefits of applying OTIF technical rules also domestically. As possible approaches, Section V proposes to review the technical rules developed under the ATMF and APTU and introduce a voluntary scheme under which Contracting States could opt in to apply or align with APTU and ATMF rules for the admission of certain vehicles involved in domestic traffic.

Within the Union, both cross-border and domestic railway traffic are subject to the same rules developed under Directives (EU) 2016/797 and (EU) 2016/798. The focus of this item is therefore on non-EU Contracting States.

Proposed Union position:

To take note of document [TECH-26015-CT18-7.5](#), and to request the CTE standing working group (WG TECH) and the OTIF Secretariat to prepare and submit draft recommendations to next CTEs, based on the approaches defined in section V (points 28 to 30) of this document, subject to the following adaptation (below in bold and underlined when added, and in bold and strikethrough when deleted) of point 24:

24. *CSs should maintain sufficient flexibility and autonomy regarding rules for railway material exclusively used domestically. CSs should retain direct control over **requirements applying specific cases and NTRs** for domestic-only purposes, without needing approval from other CSs or the CTE. However, they should aim to minimise the use of such provisions.*

Item 8 – Work programme of the Committee

Background information:

Document [TECH-26016-CT18-8](#) sets out a proposed work programme for the Committee of Technical Experts (CTE) and its standing working group (WG Tech) for the period from June 2026 to June 2027. The proposal is aligned with [OTIF’s Long-Term Strategy](#) and [OTIF’s 2026-2027 Work Programme](#).

Proposed Union position:

To take note of document [TECH-26016-CT18-8](#) and approve the proposed work programme of the CTE, subject to the following adaptations (below in bold and underlined when added, and in bold and strikethrough when deleted) of items 4, 5.b. and 5.c.:

4. *Support expansion of the application of OTIF law by promoting accession to, and the application of OTIF technical interoperability, ~~including the benefits of extending its application to domestic carriage.~~*
 - a. *Analyse the possible legal and technical opportunities and challenges with regard to freight wagons that can be used in rail traffic between the GCC railway networks and OTIF railway networks.*
 - b. *When available, assess the results of the survey on the implementation of COTIF and its application to domestic carriage referred to in point 3(b).*
 - c. *Consider possibilities for the application of OTIF technical interoperability law to domestic rail transport, and outline the benefits and challenges of domestic application.*
 - d. Promote the future enhancement of OTIF law with requirements for 1520 mm gauge networks reflecting the ongoing work on EU TSIs, which should also facilitate international rail traffic along the Trans-Caspian Transport Corridor (TCTC).**
- 5.b. ~~Develop~~ **Analyse and discuss concepts concerning the possible introduction of a two-tier approach to technical interoperability, allowing Contracting States to opt for a limited form of interoperability focused on the circulation of vehicles suitable for free circulation and interchangeable vehicles: 1) freight wagons, 2) passenger coaches.**
- 5.c. *Where relevant, cooperate with and ~~advise~~ **provide technical expertise to** other OTIF organs on the development of OTIF law. This may, in particular, require an assessment of the consistency:*
 - *between proposals for provisions on telematics and the digitalisation of transport documents under the CIM UR and the related applicable rules under RID,*
 - **between proposals for ticketing-related provisions on telematics and contractual rights and obligations under the CIV UR,**
 - *between proposed modifications to the UTP WAG and the RID amendments to enter into force on 1 January 2027, and*
 - *between the liability regime for wagon use under the CUV UR and the tasks and responsibilities defined under the ATMF UR, its Annexes and the UTPs.*

Item 9 – Stakeholder engagement

Background information:

At its 15th session (June 2023), the CTE took note of the Recommendation on involving stakeholders in OTIF's work (OTIF-22002-JUR 2) and decided to apply it, with two exceptions. However, this decision differs from the latest practice adopted by the ad hoc Committee on Legal Affairs and International Cooperation in December 2025. Moreover, consistent procedural standards across committees contribute to legal certainty, transparency and equal treatment of stakeholders, and aligning the procedures of the different committees in terms of stakeholder engagement would enhance institutional coherence across OTIF's organs and increase transparency and clarity for stakeholders interested in the Organisation's various activities.

Document [TECH-26017-CT18-9](#) provides for detailed background (Sections I and II) and the need for alignment among OTIF organs (Section III).

Proposed Union position:

- (a) To confirm the application by the CTE of the Recommendation OTIF-22002-JUR 2, subject to derogation from the points 4.3 and 4.4 of this Recommendation, as proposed in document [TECH-26017-CT18-9](#).
- (b) To decide that, “for the purpose of involving stakeholders in its activities, the term 'expert' includes experts in their independent professional capacity and experts as representatives of legal persons active in the international rail sector, such as carriers and infrastructure managers”.
- (c) To retain as unchanged the status of stakeholders listed in decision 7 of the 15th session (June 2023) of the CTE (OTIF-23003-CTE15) under the revised procedure without the need for them to reapply.