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Proposal for a

COUNCIL DECISION

on the position to be taken on behalf of the European Union at the 18th meeting of the Committee of Technical Experts (CTE) of the Intergovernmental Organisation for International Carriage by Rail (OTIF) with regard to the revision of the Rules of Procedure of the CTE, to the revision of Uniform Technical Prescriptions (UTP) applicable to the subsystem “rolling stock – freight wagons (UTP WAG) and to the subsystem “rolling stock – locomotives and passenger rolling stock” (UTP LOC&PAS), to the adoption of a Uniform format of certificates, to the revision of the UTP applicable to the subsystem Telematics applications for freight services (UTP TAF), and of the Handbook for the implementation and application of the APTU and ATMF Uniform Rules

EXPLANATORY MEMORANDUM

1. SUBJECT MATTER OF THE PROPOSAL

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 18th session of OTIF's CTE will take place in Bern on 9 June 2026. This proposal concerns the decision establishing the position to be taken on the Union's behalf in that session, in connection with the envisaged adoption of the following proposals:

- Modification of the Rules of Procedure of CTE;
- Revision of the Uniform Technical Prescription (UTP) applicable to the subsystem “rolling stock – freight wagons” (UTP WAG);
- Revision of the UTP applicable to the subsystem “rolling stock – locomotives and passenger rolling stock” (UTP LOC&PAS);
- Adoption of Annex C to the ATMF Uniform Rules on a Uniform format of certificates;
- Modification of Appendix I to the UTP applicable to the subsystem “Telematics applications for freight services” (UTP TAF) (references to technical documents);
- Modifications to the Handbook for the implementation and application of the APTU and ATMF Uniform Rules.

The agenda of the meeting and documents related to the proposals for adoption are available on the OTIF website https://otif.org/en/?page_id=1025.

2. CONTEXT OF THE PROPOSAL

2.1. The Convention concerning International Carriage by Rail (COTIF)

The Convention concerning International Carriage by Rail of 9 May 1980, as amended by the Vilnius Protocol of 3 June 1999 ('COTIF'), is an international agreement where both the Union and 25 Member States¹ are Contracting Parties.

On 16 June 2011, the Council adopted Council Decision 2013/103/EU on the signing and conclusion of the Agreement between the European Union and the OTIF 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 (“EU-COTIF Accession Agreement”)².

The EU-COTIF Accession Agreement entered into force on 1 July 2011.

¹ Only Cyprus and Malta are not Contracting Parties.

² 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, ELI: [http://data.europa.eu/eli/dec/2013/103\(1\)/oj](http://data.europa.eu/eli/dec/2013/103(1)/oj)).

According to Article 2(1) of the COTIF, OTIF aims at promoting, improving and facilitating, in all respects, international traffic by rail, in particular by establishing systems of uniform law in various fields of law relating to international traffic by rail. The COTIF also governs the running of the Organisation, its objectives, attributions, relations with the Contracting States and its activities in general.

COTIF deals with rail legislation on a number of different legal and technical rail matters that are divided into two parts: the Convention itself, which governs the running of OTIF, and eight Appendices to the Convention that establish uniform railway law:

- Appendix A – Contract of International Carriage of Passengers by Rail (**CIV**)
- Appendix B – Contract of International Carriage of Goods by Rail (**CIM**)
- Appendix C – International Carriage of Dangerous Goods by Rail (**RID**)
- Appendix D – Contract of use of vehicles in international rail traffic (**CUV**)
- Appendix E – Contract of use of infrastructure in international rail traffic (**CUI**)
- 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**)
- Appendix G – Uniform Rules concerning the Technical Admission of Railway Material used in International Traffic (**ATMF UR**)
- Appendix H – Uniform Rules concerning the safe operation of trains in international traffic (**EST UR**)

There are 18 uniform technical prescriptions (UTPs) for technical interoperability developed under APTU UR and ATMF UR. The UTPs in the framework of COTIF are technical standards applicable for the technical admission of railway material used in international traffic. They have the same purpose as the EU technical specifications for interoperability (TSIs) for admission to international traffic, as defined in Chapter II of Directive (EU) 2016/797³.

43 out of the 50 States that are Parties to COTIF, including the already mentioned 25 EU Member States, apply APTU UR and ATMF UR.

There are four Annexes developed under EST UR. These Annexes concern common safety methods applicable to international rail traffic. They have the same purpose as the EU common safety methods (CSMs) for admission to international traffic, as defined in Chapter II of Directive (EU) 2016/798⁴. The entry into force of EST UR is still pending approval by two-thirds of the states that are party to OTIF.

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 (recast) (OJ L 138, 26.5.2016, p. 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, p. 102, ELI: <http://data.europa.eu/eli/dir/2016/798/oj>).

2.2. The OTIF Committee of Technical Experts (CTE)

The CTE is set up by Article 13(1)(f) of COTIF. It is made up of the OTIF Member States that apply APTU and ATMF.

The CTE has competence in matters of interoperability and safety of international rail traffic. It develops the APTU, ATMF, EST and their respective Annexes, as well as corresponding guidance, which apply to the admission and operation of railway material and infrastructure intended for use in international traffic. This concerns in particular:

- The adoption of technical prescriptions and technical standards;
- procedures concerning the assessment of conformity of railway material and infrastructure against these prescriptions and standards;
- provisions concerning the maintenance of railway material and infrastructure;
- responsibilities for safe operation and provisions concerning risk evaluation and assessment;
- specifications for registers necessary for the application of above provisions.

The CTE currently has a standing working group (WG TECH) which is responsible for preparing the former's decisions.

In accordance with Article 16(10) of COTIF, the CTE is competent to adopt its rules of procedure.

Pursuant to Article 20(1)(b) of COTIF, and in accordance with Article 6(1) of APTU, the CTE is competent to adopt or to amend its respective UTPs. In accordance with Article 20(1)(e) of COTIF and Article 21(1) of ATMF, the CTE is also competent to adopt or to amend its respective UTPs. These amendments are carried out in accordance with the procedure laid down in Articles 16, 20 and 33(6) of COTIF, and enter into force in accordance with the paragraphs 3 and 4 of Article 35.

Finally, in accordance with Article 20(1)(e) of COTIF, and pursuant to Article 21(4) of ATMF, the CTE is also competent to recommend methods and practices relating to the technical admission of railway material used in international traffic.

2.3. The envisaged acts to be adopted by the CTE

On 9 June 2026, during its 18th session, the CTE is to adopt the following:

- a modification of its Rules of Procedure of CTE;
- a revision of the UTP applicable to the subsystem “rolling stock – freight wagons” (UTP WAG);
- a revision of the UTP applicable to the subsystem “rolling stock – locomotives and passenger rolling stock” (UTP LOC&PAS);
- Annex C to the ATMF on a Uniform format of certificates;
- a modification of Appendix I to the UTP applicable to the subsystem “Telematics applications for freight services” (UTP TAF) (references to technical documents);
- a modification to the Handbook for the implementation and application of the APTU and ATMF Uniform Rules.

2.3.1. *Modification of the rules of procedure of the CTE*

At its 8th session, held on 4 December 2025, the OTIF ad hoc Committee on Legal Affairs and International Cooperation approved recommended provisions aimed at harmonising the rules of procedure across all OTIF organs with regard to the rights of members, associate members and observers.

The aim of this proposal to modify the rules of procedure of the CTE is to align the practices of all OTIF organs, based on the recommendations of the ad hoc Committee on Legal Affairs and International Cooperation, so as to ensure consistency. Furthermore, the proposal includes some additional alignments with practices of other organs.

2.3.2. *Revision of the Uniform Technical Prescription (UTP) applicable to the subsystem “rolling stock – freight wagons” (UTP WAG)*

UTP WAG lays down the functional and technical requirements for admitting freight wagons to international traffic within the territories of all COTIF Contracting States, in line with the ATMF. It covers technical design and production requirements and verification procedures.

The aim of this proposal to revise the UTP WAG is to keep it aligned with legal developments in the European Union, and in particular with those introduced by Commission Implementing Regulation (EU) 2025/2064⁵. In that context, the proposal specifies requirements for freight wagons concerning spark arresters for fire safety, transport of dangerous goods by rail, and devices to secure semi-trailers to wagons and related markings.

2.3.3. *Revision of the Uniform Technical Prescription (UTP) applicable to the subsystem “rolling stock – locomotives and passenger rolling stock” (UTP LOC&PAS)*

UTP LOC&PAS lays down the functional and technical requirements for admitting locomotives and passenger rolling stock to international traffic within the territories of all COTIF Contracting States, in line with the ATMF. It covers technical design and production requirements and verification procedures.

The aim of this proposal to revise the UTP LOC&PAS is to keep it aligned with legal developments in the European Union, and in particular those introduced by Commission Implementing Regulation (EU) 2025/675⁶. In that context, the proposal specifies requirements to be met for the free circulation in international traffic of non-passenger-carrying vehicles that are intended to carry personnel.

⁵ Commission Implementing Regulation (EU) 2025/2064 of 14 October 2025 amending Regulation (EU) No 321/2013 concerning the technical specification for interoperability relating to the rolling stock – freight wagons subsystem of the rail system in the European Union (WAG TSI) (OJ L, 2025/2064, 15.10.2025, ELI: http://data.europa.eu/eli/reg_impl/2025/2064/oj).

⁶ Commission Implementing Regulation (EU) 2025/675 of 4 April 2025 amending Regulation (EU) No 1302/2014 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 and Implementing Decision 2011/665/EU on the register of authorised types of railway vehicles (OJ L, 2025/675, 7.4.2025, ELI: http://data.europa.eu/eli/reg_impl/2025/675/oj).

2.3.4. *Adoption of Annex C to ATMF UR on a Uniform format of certificates*

The aim of this proposal is to define the structure and content of the technical certificates in the meaning of Article 11 of the ATMF UR, and the procedures for their issuance, updating, withdrawal, suspension, as well as the procedures concerning access to them. The proposal aims to ensure the consistency and compatibility of information across COTIF Contracting States, and its compatibility with vehicle and vehicle type registers established under OTIF or EU rules, namely those laid down in Commission Implementing Decision 2011/665/EU⁷ and Commission Implementing Decision (EU) 2018/1614⁸, as last amended.

To promote harmonisation and facilitate railway digitalisation, the information contained in these certificates is expected to correspond to the information required in vehicle registers and vehicle type registers according to OTIF and EU rules, including the information required to perform route compatibility checks.

2.3.5. *Modification of the UTP Telematics applications for freight services (UTP TAF)*

UTP TAF lays down requirements about the communication process between railway undertakings and infrastructure managers, databases intended to be used to track trains and wagon movements and information to be delivered to freight customers.

The aim of this proposal is to align the references to the ERA's technical documents listed in Appendix I of UTP TAF.

In particular, modifications to the technical documents referred to in Appendix I of the UTP TAF are necessary in order to correct errors, take feedback into account, keep up with technical progress and maintain equivalence with the specifications defined in ERA's technical document ERA-TD-105: TAF TSI — Annex D.2: Appendix F — TAF TSI Data and Message Model.

2.3.6. *Update of the handbook for the implementation and application of the APTU and ATMF*

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 handbook is non-legally binding under COTIF but is nevertheless a recommendation for implementation, capable of producing legal effects. The CTE is empowered to adopt the handbook and their modifications as recommendations in accordance with Article 21(4) of ATMF. The handbook (and thus the envisaged amendment thereto) would inform the way in which the EU must implement its obligations 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.

⁷ Commission Implementing Decision of 4 October 2011 on the European register of authorised types of railway vehicles (OJ L 264, 8.10.2011, pp. 32, ELI: http://data.europa.eu/eli/dec_impl/2011/665/oj).

⁸ 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 (OJ L 268, 26.10.2018, pp. 53, ELI: http://data.europa.eu/eli/dec_impl/2018/1614/oj).

3. POSITION TO BE TAKEN ON THE UNION’S BEHALF

3.1. Union competence and voting rights

Pursuant to Article 6 of the EU-COTIF Accession Agreement:

“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”.

Pursuant to Article 3(2) TFEU, the Union has exclusive competence in relation to international commitments to be undertaken in the context of COTIF, including legal instruments adopted pursuant to it, when such commitments risk affecting existing Union rules or altering their scope.

The objective of the proposed decisions is to:

- Modify the Rules of Procedure of the CTE, in order to align it with the rules of procedure of other OTIF organs;
- Review the UTP WAG, in order to align them with Commission Implementing Regulation (EU) 2025/2064;
- Review the UTP LOC&PAS, in order to align them with Commission Implementing Regulation (EU) 2025/675;
- Adopt a new Annex C to ATMF UR on a Uniform format of certificates, while ensuring its compatibility with vehicle and vehicle type registers established under OTIF and EU rules, namely those laid down in Commission Implementing Decision 2011/665/EU and Commission Implementing Decision (EU) 2018/1614;
- Modify the UTP Telematics applications for freight services (UTP TAF), in order to align the references to the ERA’s Technical Documents listed in Appendix I of UTP TAF with the latest updates published by ERA;
- Update the handbook for the implementation and application of APTU and ATMF, in order to align it with the return from experience of COTIF Contracting States, including EU Member States.

All of these decisions fall within the area of interoperability and safety of international rail traffic. This area is largely covered by Union rules, which therefore risk to be affected or altered by the adoption of these decisions.

The Union, represented by the Commission, shall therefore exercise the voting rights with respect to the adoption of these decisions.

3.2. Proposed conclusions

As regards the decisions detailed in paragraphs 2.3.1 to 2.3.6 above, the Union should vote as proposed below.

3.2.1. *Modification of the rules of procedure of the Committee of technical experts*

The European Union should vote in favour of modification of the Rules of Procedure of the CTE as proposed by the OTIF Secretariat in the document TECH-26018-CTE18-4. Nevertheless, the following modification should be proposed.

- (a) In Article 9(3), “8 weeks” should be replaced by “12 weeks”. This proposal is intended to facilitate the necessary internal procedures allowing a timely preparation and adoption of the respective Union positions.

3.2.2. *Revision of the Uniform Technical Prescription (UTP) applicable to the subsystem “rolling stock – freight wagons” (UTP WAG)*

The European Union should vote in favour of the revision of UTP WAG as proposed by the OTIF Secretariat in Annex 2 to document TECH-26003-CTE18-5.1, subject to the amendments listed below. In case these amendments are not introduced, the European Union should vote against the proposed revision of UTP WAG.

- (a) The two introductory paragraphs in point 4.2.6.1.2.1, now further detailed in point 4.2.6.1.2.1.1, should be deleted;
- (b) In point 5.3.6, the first paragraph should be replaced by:
“Devices to secure semi-trailers shall be designed and assessed for each of the following conditions of use:
 - compatible semi-trailers for which the device is intended;
 - compatible unit interface on which the device can be safely mounted”.

3.2.3. *Revision of the Uniform Technical Prescription applicable to the subsystem “rolling stock – locomotives and passenger rolling stock” (UTP LOC&PAS)*

The European Union should vote in favour of the revision of UTP LOC&PAS as proposed by the OTIF Secretariat in Annex 2 to document TECH-26004-CTE18-5.2, subject to the amendment listed below. In case this amendment is not introduced, the European Union should vote against the proposed revision of UTP LOC&PAS.

- (a) in point 7.1.1.6.1, point (12) should be replaced by “The unit shall be equipped with self-rescue devices for all persons on board, satisfying the specifications of EN 13794:2002 and either EN 402:2003 or EN 403:2004”.

3.2.4. *Adoption of Annex C to ATMF UR on a Uniform format of certificates*

The envisaged decision to adopt a new Annex C to ATMF on a Uniform format of certificates is not considered to be fully in line with the law and the strategic objectives of the Union. As a generic example, the use of the term “certificate” leads to confusion, as it is used for different purposes in the EU and COTIF frameworks.

Considering the extent of the amendments to the envisaged decision that would be necessary to ensure alignment with the relevant EU acquis, the European Union should vote in against the adoption of Annex C to ATMF UR on a Uniform format of certificates, as proposed by the OTIF Secretariat in the document TECH-26005-CTE18-5.3, and request its review by OTIF WG TECH to ensure alignment with the relevant EU acquis.

3.2.5. *Modification of the UTP Telematics applications for freight services (UTP TAF)*

The European Union should vote in favour of the modifications of the UTP TAF, as proposed by the OTIF Secretariat in the document TECH-26006-CTE18-5.4.

3.2.6. *Update of the handbook for the implementation and application of the APTU and ATMF*

The European Union should vote in favour of the modifications of the handbook as proposed by the OTIF Secretariat in the document TECH-26009-CTE18-6.3, subject to the amendments listed below. In case these amendments are not introduced, the European Union should vote against the proposed update of the handbook.

- (a) Cross-references between the different parts of the Handbook should be reviewed (e.g. points 106, 137 and 200 refer to a numbering of sections that is not actually used in the Handbook);
- (b) In points 112 and 202, the last sentences should be completed as follows: “, 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, “*Vehicles*” should be replaced by “*Vehicles in international traffic in the scope of the ATMF UR*”.

In addition, it should also be enquired whether the expression “*Contracting State*” should be replaced by “*Member State*” throughout the document, to align with the revised terminology proposed for CTE’s Rules of Procedure.

4. **LEGAL BASIS**

4.1. **Procedural legal basis**

4.1.1. *Principles*

Article 218(9) of the Treaty on the Functioning of the European Union (TFEU) provides for decisions establishing ‘*the positions to be adopted on the Union’s behalf in a body set up by an agreement, when that body is called upon to adopt acts having legal effects, with the exception of acts supplementing or amending the institutional framework of the agreement.*’

The concept of ‘*acts having legal effects*’ includes acts that have legal effects by virtue of the rules of international law governing the body in question. It also includes instruments that do not have a binding effect under international law, but that are ‘*capable of decisively influencing the content of the legislation adopted by the EU legislature*’⁹.

⁹ Judgment of the Court of Justice of 7 October 2014, Germany v Council, C-399/12, ECLI:EU:C:2014:2258, paragraphs 61 to 64.

4.1.2. *Application to the present case*

The CTE is a body set up by an agreement, namely the COTIF, in particular under its Article 13(1)(f).

The acts listed above which the CTE is called upon to adopt during its 18th session constitute acts having legal effects. As the Union is a full contracting party to COTIF, the envisaged acts will be binding upon the Union under international law, in accordance with Article 6(1) APTU, Article 21(1) ATMF and paragraphs 3 and 4 of Article 35 to COTIF.

The envisaged acts do not supplement or amend the institutional framework of the Agreement.

Therefore, the procedural legal basis for the proposed decision is Article 218(9) TFEU.

4.2. **Substantive legal basis**

4.2.1. *Principles*

The substantive legal basis for a decision under Article 218(9) TFEU depends primarily on the objective and content of the envisaged act in respect of which a position is taken on the Union's behalf. If the envisaged act pursues two aims or has two components and if one of those aims or components is identifiable as the main one, whereas the other is merely incidental, the decision under Article 218(9) TFEU must be founded on a single substantive legal basis, namely that required by the main or predominant aim or component.

4.2.2. *Application to the present case*

The main objective and content of the envisaged act relate to international rail transport.

Therefore, the substantive legal basis of the proposed decision is Article 91 TFEU.

4.3. *Conclusion*

The legal basis of the proposed decision should be Article 91 TFEU, in conjunction with Article 218(9) TFEU.

Proposal for a

COUNCIL DECISION

on the position to be taken on behalf of the European Union at the 18th meeting of the Committee of Technical Experts (CTE) of the Intergovernmental Organisation for International Carriage by Rail (OTIF) with regard to the revision of the Rules of Procedure of the CTE, to the revision of Uniform Technical Prescriptions (UTP) applicable to the subsystem “rolling stock – freight wagons (UTP WAG) and to the subsystem “rolling stock – locomotives and passenger rolling stock” (UTP LOC&PAS), to the adoption of a Uniform format of certificates, to the revision of the UTP applicable to the subsystem Telematics applications for freight services (UTP TAF), and of the Handbook for the implementation and application of the APTU and ATMF Uniform Rules

THE COUNCIL OF THE EUROPEAN UNION,

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

Having regard to the proposal from the European Commission,

Whereas:

- (1) The Union acceded to the Convention concerning International Carriage by Rail of 9 May 1980, as amended by the Vilnius Protocol of 3 June 1999 (the ‘COTIF’), in accordance with Council Decision 2013/103/EU¹⁰ and the Agreement between the European Union and the Intergovernmental Organisation for International Carriage by Rail (OTIF) on the Accession of the European Union to the COTIF Convention¹¹.
- (2) Pursuant to Article 13(1)(f) of COTIF, the Committee of Technical Experts (‘CTE’) of OTIF was set up.
- (3) Pursuant to Article 16(10) of COTIF, the CTE is competent to adopt and amend its rules of procedure.
- (4) Pursuant to Article 20(1)(b) of the COTIF, and in accordance with Article 6(1) of the 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) – Appendix F to COTIF, the CTE is competent to adopt or to amend, inter alia, the Uniform Technical Prescriptions (UTP) applicable to the subsystem “rolling stock – freight wagons” (UTP WAG), to the subsystem “rolling

¹⁰ 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, ELI: [http://data.europa.eu/eli/dec/2013/103\(1\)/oj](http://data.europa.eu/eli/dec/2013/103(1)/oj)).

¹¹ OJ L 51, 23.2.2013, p. 8.

stock – locomotives and passenger rolling stock” (UTP LOC&PAS), and to the subsystem Telematics applications for freight services (UTP TAF).

- (5) Pursuant to Article 20(1)(e) of the COTIF, and in accordance with Article 21(1) of the Uniform Rules concerning the Technical Admission of Railway Material used in International Traffic (ATMF UR) – Appendix G to COTIF, the CTE is competent to adopt Annexes to that Appendix, including on the uniform format of certificates.
- (6) Pursuant to Article 20(1)(e) of the COTIF, and in accordance with Article 21(4) of the ATMF UR, the CTE is competent to adopt or to amend, inter alia, the Handbook for the implementation and application of the APTU and ATMF Uniform Rules.
- (7) The CTE, during its 18th session on 9 June 2026, is to adopt decisions to revise its Rules of Procedure, the UTP WAG, the UTP LOC&PAS, to adopt an Annex C to the ATMF on a Uniform format of certificates, to modify Appendix I to the UTP TAF, and to update the Handbook for the implementation and application of the APTU and ATMF Uniform Rules.
- (8) It is appropriate to establish the positions to be taken on the Union’s behalf in the CTE, as the proposed decisions will be binding on the Union, pursuant to Article 6(1) APTU, Article 21(1) ATMF and paragraphs 3 and 4 of Article 35 to COTIF.
- (9) The objectives of those decisions are to modify the Rules of Procedure of the CTE, in order to align them with the rules of procedure of other OTIF organs, align the UTP WAG and UTP LOC&PAS with Commission Implementing Regulations (EU) 2025/2064¹² and (EU) 2025/675¹³ respectively, to adopt a new Annex C to ATMF on a the Uniform format of certificates, while ensuring its compatibility with vehicle and vehicle type registers established under OTIF and EU rules, namely those laid down in the latest amendments to Implementing Decision 2011/665/EU¹⁴ and Commission Implementing Decision (EU) 2018/1614¹⁵, to align the references to the ERA’s technical documents listed in Appendix I of UTP TAF, and to update the Handbook for the implementation and application of the APTU and ATMF, taking into account the return on experience from COTIF Contracting States, including EU Member States.
- (10) The envisaged modifications to the Rules of Procedure of the CTE are based on the recommendations of the OTIF ad hoc Committee on Legal Affairs and International Cooperation, and ensure further alignment and consistency between the practices of this and other OTIF organs. However, the rules for making working documents available before the meetings of the CTE still establish very short deadlines, which

¹² Commission Implementing Regulation (EU) 2025/2064 of 14 October 2025 amending Regulation (EU) No 321/2013 concerning the technical specification for interoperability relating to the rolling stock – freight wagons subsystem of the rail system in the European Union (WAG TSI) (OJ L, 2025/2064, 15.10.2025, ELI: http://data.europa.eu/eli/reg_impl/2025/2064/oj).

¹³ Commission Implementing Regulation (EU) 2025/675 of 4 April 2025 amending Regulation (EU) No 1302/2014 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 and Implementing Decision 2011/665/EU on the register of authorised types of railway vehicles (OJ L, 2025/675, 7.4.2025, ELI: http://data.europa.eu/eli/reg_impl/2025/675/oj).

¹⁴ Commission Implementing Decision of 4 October 2011 on the European register of authorised types of railway vehicles (OJ L 264, 8.10.2011, pp. 32, ELI: http://data.europa.eu/eli/dec_impl/2011/665/oj).

¹⁵ 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 (OJ L 268, 26.10.2018, pp. 53, ELI: http://data.europa.eu/eli/dec_impl/2018/1614/oj).

may be insufficient for allowing the necessary internal procedures for the adoption of a decision at Union level. Therefore, while the amendments to the Rules of Procedure should be supported, the European Union should also propose to extend the deadline for making working documents available before the meetings of the CTE, in order to allow for a timely preparation and adoption of Union positions.

- (11) The envisaged decisions to revise the UTP WAG and the UTP LOC&PAS and to modify Appendix I of UTP TAF are generally in line with the law and the strategic objectives of the Union, and contribute to the alignment of OTIF legislation with the equivalent provisions of Union law. However, some of the changes proposed by OTIF Secretariat should be aligned with the relevant EU law. It is therefore necessary to propose amendments to the envisaged OTIF decisions, in order to ensure alignment with the relevant EU acquis. The Union should thus support the envisaged decisions subject to the condition that these amendments are introduced.
- (12) The envisaged decision to adopt a new Annex C to ATMF on a Uniform format of certificates is not fully in line with the law and the strategic objectives of the Union. As a generic example, the use of the term “certificate” leads to confusion, as it is used for different purposes in the EU and COTIF frameworks. Considering the extent of the amendments to the envisaged decision that would be necessary to ensure alignment with the relevant EU acquis, the Union should thus oppose to the adoption of the envisaged decision, and request further work of the standing working group of the CTE (WG TECH) on the matter, so as to ensure alignment with the relevant EU acquis.
- (13) The envisaged decision to update the Handbook for the implementation and application of ATMF and APTU is generally in line with the law and the strategic objectives of the Union, and contribute 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. It is therefore necessary to propose amendments to the envisaged decision, 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. The Union should thus support the envisaged decision, subject to the condition that these amendments are introduced.

HAS ADOPTED THIS DECISION:

Article 1

The position to be taken on the Union’s behalf in the 18th session of the Committee of Technical Experts (CTE) of the Convention concerning International Carriage by Rail of 9 May 1980 on the modification of its Rules of Procedure, on the revision of the Uniform Technical Prescriptions applicable to the subsystem “rolling stock – freight wagons” (UTP WAG), of the Uniform Technical Prescriptions applicable to the subsystem “rolling stock – locomotives and passenger rolling stock” (UTP LOC&PAS), on the adoption of an Annex C to the Uniform Rules concerning the Technical Admission of Railway Material used in International Traffic (ATMF UR) on a Uniform format of certificates, on a modification of Appendix I of the Uniform Technical Prescriptions applicable to the subsystem “Telematics

applications for freight services” (UTP TAF), and on an update of the Handbook for the implementation and application of the APTU and ATMF shall be the following:

- (1) to vote in favour of the proposed modifications to the Rules of Procedure of CTE, as found in the document TECH-26018-CTE18-4. Without prejudice to this position, to also propose the following amendment:
 - (a) In Article 9(3), replace “8 weeks” by “12 weeks”;
- (2) to vote in favour of the proposed revision of UTP WAG, as found in Annex 2 to the document TECH-26003-CTE18-5.1, subject to the following amendments:
 - (a) in point 4.2.6.1.2.1, delete the two introductory paragraphs;
 - (b) in point 5.3.6, replace the first paragraph by:

“Devices to secure semi-trailers shall be designed and assessed for each of the following conditions of use:

 - compatible semi-trailers for which the device is intended;
 - compatible unit interface on which the device can be safely mounted”.
- (3) to vote in favour of the proposed revision of UTP LOC&PAS, as found in Annex 2 to the document TECH-26004-CTE18-5.2, subject to the following amendment:
 - (a) in point 7.1.1.6.1, replace point (12) by “The unit shall be equipped with self-rescue devices for all persons on board, satisfying the specifications of EN 13794:2002 and either EN 402:2003 or EN 403:2004”.
- (4) to vote against the proposed adoption of an Annex C to ATMF on a Uniform format of certificates, as found in the document TECH-26005-CTE18-5.3, and to request further work of the standing working group of the CTE (WG TECH) on the matter, so as to ensure alignment with the relevant EU acquis.
- (5) to vote in favour of the proposed modification of Appendix I of UTP TAF, as found in the document TECH-26006-CTE18-5.4.
- (6) 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”.

Minor changes to the positions expressed in this Article may be agreed by the representatives of the Union at the meeting of the CTE, without further decision of the Council.

Article 2

This Decision is addressed to the Commission.

Article 3

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

Done at Brussels,

For the Council
The President