

TRACTATENBLAD

VAN HET

KONINKRIJK DER NEDERLANDEN

JAARGANG 2011 Nr. 277

A. TITEL

*Verdrag betreffende het internationale spoorwegvervoer (COTIF);
(met Protocol en Aanhangsels)
Bern, 9 mei 1980*

B. TEKST

De Franse tekst van het Verdrag, met Protocol en Aanhangsels, is geplaatst in *Trb.* 1980, 160. Zie voor correcties *Trb.* 1981, 211.

De Aanhangsels bij het Verdrag zijn een aantal malen gewijzigd; zie rubriek J van *Trb.* 1985, 12, *Trb.* 1986, 66, *Trb.* 1987, 192, *Trb.* 1989, 176, *Trb.* 1991, 6, *Trb.* 1993, 15 en *Trb.* 1994, 160.

Voor de Franse tekst van het wijzigingsprotocol van 20 december 1990 zie *Trb.* 1991, 142.

Het Verdrag is herzien door het op 3 juni 1999 totstandgekomen Protocol, waarvan de Franse tekst is geplaatst in *Trb.* 2000, 70.

Het Verdrag en de Aanhangsels zijn daarna opnieuw gewijzigd; zie *Trb.* 2011, 15.

Zie voor twee- of meerzijdige akkoorden die tot stand zijn gekomen op grond van paragraaf 1.5.1 en paragraaf 5.4.1.4.1 van Aanhangsel C (RID) bij het Verdrag: www.otif.org/en/dangerous-goods/rid-references-on-the-otif-website.html?type=98.

C. VERTALING

Zie *Trb.* 1981, 211 en rubriek J van *Trb.* 1991, 6, *Trb.* 1994, 160 en *Trb.* 1995, 240.

Zie *Trb.* 1992, 202 voor de vertaling van het wijzigingsprotocol van 20 december 1990 en *Trb.* 2002, 25 voor de vertaling van het wijzigingsprotocol van 3 juni 1999.

D. PARLEMENT

Zie *Trb.* 1985, 12, rubriek J van *Trb.* 1995, 240 en rubriek D van *Trb.* 2011, 15.

E. PARTIJGEGEVENS**Verdrag**

Zie *Trb.* 1980, 160 en rubriek F van *Trb.* 1985, 12.

Partij	Onder- tekening	Ratificatie	Type*	In werking	Opzeg- ging	Buiten werking
Albanië		01-06-84	T	01-05-85		
Algerije	23-12-80	28-11-91	R	01-03-92		
Armenië ¹⁾		30-12-10	T	01-07-11		
België	12-06-80	02-06-83	R	01-05-85		
Bosnië en Herzegovina		05-08-96	T	01-10-96		
Bulgarije	09-05-80	15-07-82	R	01-05-85		
Denemarken	09-05-80	18-06-81	R	01-05-85		
Duitsland	09-05-80	27-02-85	R	01-05-85		
Estland ¹⁾		20-08-08	T	01-01-09		
EU (Europese Unie) ¹⁾		01-07-11	T	01-07-11		
Finland	09-05-80	15-08-84	R	01-05-85		
Frankrijk	09-05-80	03-09-82	R	01-05-85		
Griekenland	13-05-80	23-09-86	R	01-11-86		
Hongarije	09-05-80	14-01-82	R	01-05-85		
Ierland	23-12-80	09-09-86	R	01-11-86		
Irak	22-09-80	08-11-84	R	01-05-85		
Iran	09-05-80	12-04-85	R	01-10-85		
Italië	09-05-80	01-03-85	R	01-05-85		
Joegoslavië (< 25-06-1991)		02-08-82	T	01-05-85		
Kroatië		30-09-92	T	01-12-92		

Partij	Onder-tekening	Ratificatie	Type*	In werking	Opzeg-ging	Buiten werking
Letland		23-02-00	T	01-09-00		
Libanon	09-05-80	01-12-83	R	01-05-85		
Liechtenstein	22-05-80	30-01-85	R	01-05-85		
Litouwen		21-09-95	T	01-11-95		
Luxemburg	09-05-80	27-07-83	R	01-05-85		
Macedonië, de voormalige Joegoslavische Republiek		27-02-96	T	01-06-96		
Marokko	09-05-80	02-06-87	R	01-08-87		
Monaco		06-12-89	T	01-02-90		
Montenegro ¹⁾		21-12-09	T	01-07-10		
Nederlanden, het Koninkrijk der – Nederland: – in Europa – Bonaire – Sint Eustatius – Saba – Aruba – Curaçao – Sint Maarten	09-05-80	15-01-82 – – – – – –	R	01-05-85 – – – – – –		
Noorwegen	09-05-80	12-09-84	R	01-05-85		
Oekraïne		11-09-03	T	01-01-04		
Oostenrijk	09-05-80	08-03-83	R	01-05-85		
Polen	09-05-80	07-01-85	R	01-05-85		
Portugal	11-12-80	07-07-86	R	01-11-86		
Roemenië	09-05-80	14-06-83	R	01-05-85		
Russische Federatie ¹⁾		21-08-08	T	01-02-10		
Servië		24-01-01	T	01-08-01		
Slovenië		15-12-92	T	01-02-93		
Slowakije		24-03-94	T	01-06-94		
Spanje	27-11-80	15-01-82	R	01-05-85		

Partij	Onder- tekening	Ratificatie	Type*	In werking	Opzeg- ging	Buiten werking
Syrië	09-05-80	11-10-85	R	01-12-85		
Tsjechië		13-12-93	T	01-02-94		
Tsjechoslowakije (<01-01-1993)		28-01-83	T	01-05-85		
Tunesië	09-05-80	02-07-84	R	01-05-85		
Turkije	29-12-80	20-06-85	R	01-10-85		
Verenigd Koninkrijk	09-05-80	10-05-83	R	01-05-85		
Zweden	09-05-80	25-03-85	R	01-05-85		
Zwitserland	09-05-80	08-11-83	R	01-05-85		
* O=Ondertekening zonder voorbehoud of vereiste van ratificatie, R=Bekrachtiging, aanvaarding, goedkeuring of kennisgeving, T=Toetreding, VG=Voortgezette gebondenheid, NB=Niet bekend						

1) Toetreding tot COTIF in de versie van het wijzigingsprotocol van 3 juni 1999.

Verklaringen, voorbehouden en bezwaren

Albanië, 1 juni 1984

The People's Socialist Republic of Albania declares that, when submitting a dispute to arbitration, it is necessary to have the agreement of all parties to the dispute for each individual case.

The railways of the People's Socialist Republic of Albania are only open for the international carriage of goods.

The accession of the People's Socialist Republic of Albania will become effective after the Albanian railways have been linked to the international railway network.

Albanië, 28 september 2000

1. By virtue of § 3 of Article 12 of the Convention, Albania does not consider itself bound by the provisions of § 1 and § 2 of this Article.

2. Reservation in accordance with Article 28 § 3.

Albanië, 2 september 2005

From 2 September 2005, Albania has also made the international carriage of passengers subject to the COTIF regime.

België, 14 augustus 2007

Pending the outcome of negotiations concerning Community accession to COTIF, Belgium will not apply the following Appendices of COTIF:

- The Uniform Rules concerning the Contract of Use of Infrastructure in International Rail Traffic (CUI – Appendix E to the Convention);
- 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 the Convention);
- The Uniform Rules concerning the Technical Admission of Railway Material used in International Traffic (ATMF – Appendix G to the Convention).

Bulgarije, 29 november 2004

In accordance with Article 42 § 1 of the Convention concerning International Carriage by Rail (COTIF) of 9 May 1980, as modified by the Protocol of 3 June 1999, the Republic of Bulgaria declares that it will not apply in their entirety the following of the Appendices to the Convention:

- Uniform Rules concerning the Contract of Use of Infrastructure in International Rail Traffic (CUI – Appendix E to the Convention);
- 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 the Convention);
- Uniform Rules concerning the Technical Admission of Railway Material used in International Traffic (ATMF – Appendix G to the Convention).

Denemarken, 29 september 2004

Pending the outcome of discussions concerning Community accession to COTIF, the Kingdom of Denmark will not apply the following appendices of COTIF:

- The Uniform Rules concerning the Contract of Use of Infrastructure in International Rail Traffic (CUI – Appendix E to the Convention)
- 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 the Convention)
- The Uniform Rules concerning the Technical Admission of Railway Material used in International Traffic (ATMF – Appendix G to the Convention).

Denemarken, 10 november 2011

[The declaration concerning the non-application of Appendices E (CUI), F (APTU) and G (ATMF) was withdrawn with effect from 7 July 2011.]

Duitsland, 5 september 2003

The Federal Republic of Germany herewith submits the following declaration in accordance with Article 42 of the Convention concerning International Carriage by Rail (COTIF) of 9 May 1980 as amended by the Modification Protocol of 3 June 1999:

The Federal Republic of Germany will not apply the whole of the following Appendices to the Convention concerning International Carriage by Rail (COTIF) of 9 May 1980 as amended by the Modification Protocol of 3 June 1999:

- The Uniform Rules concerning the Contract of Use of Infrastructure in International Rail Traffic (CUI – Appendix E to the Convention)
- 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 the Convention)
- The Uniform Rules concerning the Technical Admission of Railway Material used in International Traffic (ATMF – Appendix G to the Convention).

Duitsland, 10 november 2011

[The declaration relating to CUI was withdrawn with effect from 31 December 2011.]

Estland, 20 augustus 2008

Pursuant to Article 24 of the Convention and paragraph 6 of Article 1 of Appendix A “Uniform Rules concerning the Contract of International Carriage of Passengers by Rail” (CIV) to the Convention, the Republic of Estonia will apply Appendix A to the Convention to the international carriage of passengers by rail performed only on the railway line Tallin-Tapa-Valga in both directions.

Pursuant to Articles 3 and 24 of the Convention and paragraph 6 of Article 1 of Appendix B ‘Uniform Rules concerning the Contract for International Carriage of Goods by Rail’ (CIM) to the Convention, the Republic of Estonia will apply Appendix B to the Convention to the international carriage of goods by rail performed only on the railway line Tallin-Tapa-Valga in both directions and the point of departure or the point of destination of which is situated on the territory of a state, with whom it has not been agreed otherwise regarding such carriage.

Under paragraph 1 of Article 2 of Appendix A “Uniform Rules concerning the Contract of International Carriage of Passengers by Rail” (CIV) to the Convention, the Republic Estonia will exercise the right not to apply Article 30 of Appendix A concerning the liability of a railway undertaking in case of death of, or personal injury, to a passenger involved in an accident occurring on the territory of Estonia, when the passenger is a national of the Republic of Estonia or has his usual place of residence in the Republic of Estonia.

The Republic of Estonia will not apply Appendices E, F and G to the Convention.

Finland, 15 augustus 1984

In accordance with Article 3 of Appendix A to the Convention (Uniform Rules concerning the Contract for International Carriage of Passengers and Luggage by Rail, CIV), Finland reserves the right not to apply to passengers involved in accidents occurring in its territory the whole of the provisions concerning the liability of the railway in case of death of, or personal injury to, passengers, when such passengers are Finnish nationals or have their usual place of residence in Finland.

Finland, 4 augustus 2004

In accordance with Article 42.1 of the COTIF Convention, any Member State may declare, at any time, that it will not apply in their entirety certain Appendices to the Convention. (...) In view of the above, and taking into account Article 3.2 of the COTIF Convention, the Government of Finland declares that the Republic of Finland will not apply the following appendices of the COTIF Convention:

- The Uniform Rules concerning the Contract of Use of Infrastructure in International Rail Traffic (CUI – Appendix E to the Convention)
- 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 the Convention)
- The Uniform Rules concerning the Technical Admission of Railway Material used in International Traffic (ATMF – Appendix G to the Convention).

Finland, 10 november 2011

[The declaration concerning the non-application of Appendices E (CUI), F (APTU) and G (ATMF) was withdrawn with effect from 1 July 2011.]

Frankrijk, 29 mei 2006

Pending the outcome of discussions concerning Community accession to COTIF, France will not apply the following appendices of COTIF during a transitional period:

- The Uniform Rules concerning the Contract of Use of Infrastructure in International Rail Traffic (CUI – Appendix E to the Convention)
- 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 the Convention)
- The Uniform Rules concerning the Technical Admission of Railway Material used in International Traffic (ATMF – Appendix G to the Convention).

Griekenland, 2 juni 2008

In accordance with Article 42 of the Convention concerning International Carriage by Rail (COTIF) of 9 May 1980, as modified by the Protocol of 3 June 1999, the Hellenic Republic declares that it will not apply the following COTIF Appendices:

- Uniform Rules concerning the Contract of Use of Infrastructure in International Rail Traffic (CUI – Appendix E to the Convention)
- 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 the Convention)
- Uniform Rules concerning the Technical Admission of Railway Material used in International Traffic (ATMF – Appendix G to the Convention).

Griekenland, 10 november 2011

[The declaration concerning the non-application of Appendices E (CUI), F (APTU) and G (ATMF) was withdrawn with effect from 13 September 2011.]

Hongarije, 18 december 2006

Whereas in accordance with Article 42.1 of the COTIF Convention, any Member State may declare, at any time, that it will not apply in their entirety certain Appendices to the Convention;

[...]

Whereas in view of the above, and taking into account Article 3.2 of the COTIF Convention, the National Assembly of the Republic of Hungary has given the authorization in Act LXXXVII of 2006 on the promulgation of the Protocol of Vilnius, adopted on the 9th October 2006, to make a declaration to the COTIF Convention to the above effect;

I, Kinga Göncz, Minister for Foreign Affairs hereby declare, that the Republic of Hungary shall not apply the following appendices of the COTIF Convention:

- The Uniform Rules concerning the Contract of Use of Infrastructure in International Rail Traffic (CUI – Appendix E to the Convention);
- 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 the Convention)
- The Uniform Rules concerning the Technical Admission of Railway Material used in International Traffic (ATMF – Appendix G to the Convention).

Irak, 8 november 1984

The Republic of Iraq is not to be considered bound by the text of § 1 of Article 12 of the Convention, which provides that any dispute between the contracting parties about the interpretation or application of this

Convention can be referred to a court of arbitration on the request of one of the parties, since disputes of this nature can only be subjected to arbitration with the agreement of all the parties to the dispute on each occasion separately, and this in application of paragraph 3 of Article 12 of the Convention.

There shall not be applied all the provisions of the Convention concerning the responsibility of the railways in the case of the death of or injury to passengers in the case of citizens of the Republic of Iran and citizens of other states customarily resident in Iraq if they are victims of accidents occurring within Iraqi territory.

The ratification of the Republic of Iraq does not signify in any manner recognition of what is called "Israel" and does not lead to the entry of Iraq into dealings with it on matters contained in the Convention and the Protocol.

Iran, 12 april 1985

The Islamic Republic of Iran reserves the right, in accordance with Article 3 § 1 of Annex A to the Convention, not to apply the provisions on civil liability of railways in the case of death of, or personal injury to, passengers, when the accident occurs in its territory and the passenger is an Iranian national or is habitually resident in Iran.

Letland, 23 februari 2000

In accordance with Article 3 of Appendix A to the Convention concerning International Carriage by Rail (COTIF) of 1980, the Republic of Latvia reserves the right not to apply to passengers involved in accidents occurring in the territory of the Republic of Latvia the provisions concerning the liability of the railway in case of death of or personal injury to passengers, when such passengers are nationals of or have their usual place of residence in the Republic of Latvia.

In accordance with Paragraph 1 of Article 2 of the Uniform Rules of International Carriage of Passengers by Rail (CIV – Appendix A to the Convention concerning International Carriage revised by Protocol of 3 June 1999) the Republic of Latvia declares that it will not apply to passengers involved in accidents occurring on its territory the whole of the provisions concerning the liability of the carrier in case of death of, or personal injury to, passengers, when such passengers are nationals of, or have their usual place of residence in, that State.

In accordance with Paragraph 1 of 42 of the Convention concerning International Carriage by Rail (COTIF) of 9 May 1980 as revised by Protocol of 3 June 1999 the Republic of Latvia declares that it will not apply the Uniform Rules concerning the Contract of Use of Infrastructure in International Rail Traffic (CUI – Appendix E to the Convention), 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 the Convention) and the Uniform Rules concerning the Technical

Admission of Railway Material used in International Traffic (ATMF – Appendix G to the Convention).

Litouwen, 10 november 2003

The Seimas of the Republic of Lithuania, invoking paragraph 1 of Article 42 of the Convention concerning International Carriage by Rail (COTIF) of 9 May 1980, as modified by the Protocol of 3 June 1999, declares that the Republic of Lithuania will not apply “CUI” – Appendix E to the Convention, “APTU” – Appendix F to the Convention, and “ATMF” – Appendix G to the Convention until these Appendices are aligned with the legal acts of the European Community.

Litouwen, 10 november 2011

[The declaration concerning the non-application of Appendices E (CUI), F (APTU) and G (ATMF) was withdrawn with effect from 10 November 2011.]

Luxemburg, 29 juni 2006

Pending the outcome of discussions concerning Community accession to COTIF, the Grand Duchy of Luxembourg will not apply the following appendices of COTIF during a transitional period:

- The Uniform Rules concerning the Contract of Use of Infrastructure in International Rail Traffic (CUI – Appendix E to the Convention)
- 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 the Convention)
- The Uniform Rules concerning the Technical Admission of Railway Material used in International Traffic (ATMF – Appendix G to the Convention).

Nederlanden, het Koninkrijk der, 29 juni 2006

Pending the outcome of discussions concerning Community accession to COTIF, the Kingdom of the Netherlands will not apply the following appendices of COTIF:

- The Uniform Rules concerning the Contract of Use of infrastructure in International Rail Traffic (CUI – Appendix E to the Convention)
- 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 the Convention)
- The Uniform Rules concerning the Technical Admission of railway Material used in International Traffic (ATMF – Appendix G to the Convention).

The Netherlands assume that the negotiations on the EU’s accession to OTIF can be concluded rapidly and with agreement on outstanding subjects that could represent a contradiction between EU legislation and

COTIF. The Netherlands therefore consider the non-application of the sections referred to as temporary, until 1 January 2008 at the latest.

Nederlanden, het Koninkrijk der, 21 december 2006

Declares, in conformity with the provisions of Article 42 of the Convention on International Carriage by Rail (COTIF), done on 9 May 1980 and revised by the Protocol of Vilnius, done on 3 juni 1999, that the Kingdom of the Netherlands:

- referring to its declaration of 29 June 2006 not to apply the appendices CUI, APTU and ATMF of COTIF;
 - taking into account that the abovementioned declaration was limited in time until 1 January 2008;
 - considering the progress in the revision of the appendices involved and the progress in the negotiations between the Intergovernmental Organisation for International Carriage by Rail (OTIF) and the European Union (EU) about the accession of the EU to OTIF;
- will not apply the appendices CUI, APTU and ATMF until 1 January 2009.

Nederlanden, het Koninkrijk der, 14 december 2007

Declares, in conformity with the provisions of Article 42 of the Convention on International Carriage by Rail (COTIF), done on 9 May 1980 and revised by the Protocol of Vilnius, done on 3 June 1999, that the Kingdom of the Netherlands:

- referring to its declaration of 29 June 2006 and 21 December 2006 not to apply the appendices CUI, APTU and ATMF of COTIF;
 - taking into account that the declaration of 21 December 2006 was limited in time until 1 January 2009;
 - considering the stage of the revision of the appendices involved and the stage of the negotiations between the Intergovernmental Organisation for International Carriage by Rail (OTIF) and the European Union (EU) about the accession of the EU to OTIF;
- will not apply the appendices CUI, APTU and ATMF until 1 January 2010.

Nederlanden, het Koninkrijk der, 23 december 2008

Declares, in conformity with the provisions of Article 42 of the Convention on International Carriage by Rail (COTIF), done on 9 May 1980 and revised by the Protocol of Vilnius, done on 3 June 1999, that the Kingdom of the Netherlands:

- referring to its declaration of 29 June 2006, 21 December 2006 and 14 December 2007 not to apply the appendices CUI, APTU and ATMF of COTIF;
- taking into account that the declaration of 14 December 2007 was limited in time until 1 January 2010;

– considering the stage of the revision of the appendices involved and the developments in relation to the accession of the European Union (EU) to the Organisation for International Carriage by Rail (OTIF); will not apply the appendices CUI, APTU and ATMF until 1 January 2011.

Nederlanden, het Koninkrijk der, 21 december 2009

Declares, in conformity with the provisions of Article 42 of the Convention on International Carriage by Rail (COTIF), done on 9 May 1980 and revised by the Protocol of Vilnius, done on 3 June 1999, that the Kingdom of the Netherlands:

- referring to its declaration of 29 June 2006, 21 December 2006, 14 December 2007 and December 2008 not to apply the appendices CUI, APTU and ATMF of COTIF;
- taking into account that the declaration of December 2008 was limited in time until 1 January 2011;
- considering the stage of the revision of the appendices involved and the developments in relation to the accession of the European Union (EU) to the Organisation for International Carriage by Rail (OTIF); will not apply the appendices CUI, APTU and ATMF until 1 January 2012.

Nederlanden, het Koninkrijk der, 22 december 2010

Declares, in conformity with the provisions of Article 42 of the Convention on International Carriage by Rail (COTIF), done on 9 May 1980 and revised by the Protocol of Vilnius, done on 3 June 1999, that the Kingdom of the Netherlands:

- referring to its declaration of 29 June 2006, 21 December 2006, 14 December 2007, 23 December 2008 and 21 December 2009 not to apply the appendices CUI, APTU and ATMF of COTIF;
- taking into account that the declaration of December 2009 was limited in time until 1 January 2012;
- considering the stage of the revision of the appendices involved and the developments in relation to the accession of the European Union (EU) to the Organisation for International Carriage by Rail (OTIF); will not apply the appendices CUI, APTU and ATMF until 1 January 2013.

Nederlanden, het Koninkrijk der, 26 oktober 2011

Declares, in conformity with the provisions of Article 42 of the Convention on International Carriage by Rail (COTIF), done on 9 May 1980 and revised by the Protocol of Vilnius, done on 3 June 1999, that the Kingdom of the Netherlands:

- considering that it has not been applying the appendices CUI, APTU and ATMF of COTIF 1999 since 1 July 2006, which has been notified through several declarations on the basis of article 42 of COTIF 1999;

- considering that, with the accession of the European Union to COTIF and the revision of the appendices involved, it is no longer necessary to maintain this non-application;
- taking into account that the last declaration of December 2010 to not apply the appendices CUI, APTU and ATMF of COTIF 1999 concerns the year 2012;
- declares that it revokes its declaration of December 2010, as a result of which the appendices CUI, APTU and ATMF of COTIF 1999 will be applicable on its territory from 1 January 2012.

Noorwegen, 22 december 2006

The Government of Norway hereby makes the following declaration to the Convention concerning International Carriage by Rail (COTIF) of 9 May 1980 in the version of the Protocol of Modification of 3 June 1999: In accordance with Article 42 of the Convention, Norway will not apply Appendices E (CUI), F (APTU), G (ATMF) of the Convention.

Oekraïne, 11 september 2003

1. By virtue of § 3 of Article 12 of the Convention, Ukraine does not consider itself bound by the provisions of § 1 and § 2 of this Article.
2. In accordance with § 1 of Article 3 of Appendix A to the Convention (Uniform Rules concerning the Contract of International Carriage of Passengers by Rail (CIV)), the Ukraine reserves the right not to apply the provisions of this Convention to passengers involved in accidents occurring on the territory of the Ukraine when such passengers are nationals of, or have their usual place of residence in, the Ukraine.

Oekraïne, 26 oktober 2007

Reservation in accordance with Article 28 § 3.

According to Article 1 § 6 of the Uniform Rules concerning the Contract of International Carriage of Passengers by Rail (CIV – Appendix A to the Convention) and according to Article 1 § 6 of the Uniform Rules concerning the Contract of International Carriage of Goods by Rail (CIM – Appendix B to the Convention), the Ukraine will apply these Uniform Rules to the following parts of the railway infrastructure in the Ukraine:

- Halmeu / Dyakovo – Batyovo – Chop / Cierna nad Tisou and Chop / Zahony – 112 km;
- Epereszke / Batyovo – Mukacheve – 34 km;
- Medyka / Mostiska II – Mostiska I – 13 km;
- Dorohusk / Yagodin – Kovel – 66 km;
- Dornesti / Vadul – Siret – 7 km.

1) According to paragraph 1 of Article 2 of the Uniform Rules concerning the Contract of International Carriage of Passengers by Rail (CIV – Appendix A to the Convention), the Ukraine reserves its right not to apply to passengers who become victims of an accident on the territory of the Ukraine the whole of the provisions concerning the liability of the

carrier in case of death of, or personal injury to, passengers, if they are nationals of the Ukraine or if the Ukraine is their permanent place of residence;

2) according to paragraph 1 of Article 2 of the Uniform Rules concerning the Contract of Use of Infrastructure in International Rail Traffic (CUI – Appendix E to the Convention), the Ukraine reserves its right not to apply the whole of the provisions on liability in case of corporal injuries to the victims of an accident which occurs in the territory of the Ukraine, if the victims are nationals of the Ukraine or if the Ukraine is their permanent place of residence.

Oekraïne, 31 december 2010

Additional notification in accordance with Article 24 § 3 of COTIF [Takes effect on 1 January 2011]

In accordance with Article 1 § 6 of CIM, the Ukraine will also apply the CIM Uniform Rules on the line (7 km) from the Illichivsk ferry terminal to Illichivsk portside station (Illichivsk–Paromna).

Oostenrijk, 8 maart 1983

The Republic of Austria reserves the right, in accordance with Article 3 § 1 of Annex A to the Convention, not to apply the provisions regarding the civil liability of railways in the case of death of or personal injury to passengers where the accident occurs in its territory and the passenger is an Austrian national or is normally resident in Austria.

Oostenrijk, 22 januari 2004

In accordance with Article 2 § 1 of Appendix A of COTIF and in accordance with Article 2 § 1 of Appendix E of COTIF in the version of the Annex to this Protocol, the Republic of Austria reserves the right not to apply the whole of the provisions concerning the liability of the carrier in case of death of, or personal injury to, passengers when the accident has occurred on its territory and when such passengers are Austrian nationals or have their usual place of residence in Austria.

Until the date of entry into force of the accession of the European Community to the Convention concerning International Carriage by Rail (COTIF) of 9.5.1980, as amended by the Modification Protocol of 3.6.1999, the Republic of Austria will not apply the following Appendices:

- Uniform Rules concerning the Contract of Use of Infrastructure in International Rail Traffic (CUI – Appendix E to the Convention)
- 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 the Convention)
- Uniform Rules concerning the Technical Admission of Railway Material used in International Traffic (ATMF – Appendix G to the Convention).

Oostenrijk, 10 november 2011

[The declaration concerning the non-application of Appendices E (CUI), F (APTU) and G (ATMF) was limited to “the date of entry into force of the accession of the European Community to the Convention concerning International Carriage by Rail (COTIF) of 9.5.1980, as amended by the Modification Protocol of 3.6.1999”, i.e. until 1.7.2011.]

Polen, 7 januari 1985

The People’s Republic of Poland declares, pursuant to Article 3 § 1 of the CIV Uniform Rules, that it will not apply the whole of the provisions concerning the civil liability of the railway in case of death of, or personal injury to, passengers when the accident occurs in the territory of the People’s Republic of Poland and the passenger is a Polish national or has his usual place of residence in Poland.

Polen, 3 maart 2003

In accordance with Article 42 of the Convention concerning International Carriage by Rail (COTIF) of 9 May 1980 as amended by the Protocol of Vilnius (the Modification Protocol) of 3 June 1999, I hereby declare on behalf of the Republic of Poland that :

1. The Republic of Poland will not apply the whole of the provisions of the following Appendices to the COTIF Convention:

- The Uniform Rules concerning the Contract of Use of Infrastructure in International Rail Traffic (CUI – Appendix E to the Convention);
- 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 the Convention);
- The Uniform Rules concerning the Technical Admission of Railway Material used in International Traffic (ATMF – Appendix G to the Convention).

2. The Republic of Poland assumes that the negotiations on detailed provisions of the Appendices in question and progress in negotiations between the International Organization for International Carriage by Rail OTIF and the European Community concerning Community accession to the COTIF Convention will promptly result in an agreement on harmonizing the EU legislation with COTIF.

3. Therefore the Republic of Poland declares the temporary non-application of the aforementioned Appendices to the COTIF Convention, i.e. until 31 December 2011.

Portugal, 7 juli 1986

1. In accordance with Article 12 § 3 of COTIF, the recourse to the arbitration will not be admitted for the settlement of disputes arising from the application of the CIV Uniform Rules or the CIM Uniform Rules in accordance with § 2 of this Article.

2. In accordance with Article 3 § 1 of the CIV Uniform Rules, the whole provisions concerning the liability of the railway will not apply in case of death of or personal injury to passengers where the accident occurs in portuguese territory and the passenger is an Portuguese national or is normally resident in Portugal.

Portugal, 7 april 2005

1. By virtue of § 3 of Article 12 of the Convention, the Republic of Portugal does not consider itself bound by the provisions of § 1 and § 2 of this Article.

2. Reservation in accordance with Article 28 § 3.

Pending the outcome of discussions concerning Community accession to COTIF, the Republic of Portugal has decided to enter reservations according to article 42 of COTIF 1999 (Protocol of Vilnius) which entered into force on the 1st of July 2006 with regard to the following Appendices:

- The Uniform Rules concerning the Contract of Use of Infrastructure in International Rail Traffic (CUI – Appendix E to the Convention);
- 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 the Convention);
- The Uniform Rules concerning the Technical Admission of Railway Material used in International Traffic (ATMF – Appendix G to the Convention).

Therefore the Republic of Portugal will provisionally not apply the Appendices mentioned above.

Roemenië, 14 juni 1983

a) The Socialist Republic of Romania declares that it does not deem itself bound by the provisions of Article 12 § 1 of the Convention, which state that any dispute between the contracting parties concerning the interpretation or application of the Convention may be referred for settlement by arbitration at the request of one of the parties. The Socialist Republic of Romania considers that such disputes may be referred to arbitration only with the agreement, in each individual case, of all the parties to the dispute.

b) The Socialist Republic of Romania declares that it does not deem itself bound by provisions of those of the Uniform Rules concerning the Contract for International Carriage of Passengers and Luggage by Rail which relate to the liability of the railway in case of death of or personal

injury to passengers involved in accidents occurring in its territory, where such passengers are Romanian citizens or have their usual place of residence in the Socialist Republic of Romania.

Roemenië, 8 maart 2002

1. By virtue of § 3 of Article 12 of the Convention, Romania does not consider itself bound by the provisions of § 1 and § 2 of this Article.

2. Reservation in accordance with Article 28 § 3.

In accordance with the provisions of Article 42 of COTIF, Romania will not apply the following Appendices to COTIF:

- The Uniform Rules concerning the Contract of Use of Infrastructure in International Rail Traffic (CUI – Appendix E to the Convention);
- 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 the Convention);
- The Uniform Rules concerning the Technical Admission of Railway Material used in International Traffic (ATMF – Appendix G to the Convention).

Russische Federatie, 21 augustus 2008

In accordance with Article 28 § 3 of the Convention concerning International Carriage by Rail (COTIF), the Russian Federation reserves the right not to apply § 1 and § 2 of Article 28 of COTIF.

In accordance with Article 1 § 6 of the Uniform Rules concerning the Contract of International Carriage of Goods by Rail (CIM) (Appendix B to the Convention concerning International Carriage by Rail (COTIF)), the Russian Federation will apply Appendix B to the carriage performed on the parts of the railway infrastructure from the landing stage of the ferry terminal Baltiysk to the near-port railway station Baltiysk (2.84 km) and from the landing stage of the ferry terminal Ust-Luga to the near-port railway station Luzhskaya (1.745 km).

In accordance with Article 42 § 1 of the Convention concerning International Carriage by Rail (COTIF), the Russian Federation reserves the right not to apply the Appendices A, C, D, E, F, G to COTIF.

Slovenië, 10 februari 2004

Pursuant to the Convention concerning International Carriage by Rail (COTIF), the Republic of Slovenia hereby declares that, pending the outcome of discussions concerning Community accession to COTIF, it will not apply the following appendices of COTIF:

- The Uniform Rules concerning the Contract of Use of Infrastructure in International Rail Traffic (CUI – Appendix E to the Convention)

- 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 the Convention)
- The Uniform Rules concerning the Technical Admission of railway Material used in International Traffic (AMTF – Appendix G to the Convention).

Slowakije, 24 maart 1994

The Czech Republic and the Slovak Republic, successor states of Czechoslovakia, maintained the reservations expressed by Czechoslovakia, however provided that the reservation in accordance with Article 3, §1 of Appendix A concerns respectively Czech or Slovak nationals and people with their usual place of residence in the Czech Republic or the Slovak Republic.

Slowakije, 11 juni 2004

1. By virtue of § 3 of Article 12 of the Convention, Slovakia does not consider itself bound by the provisions of § 1 and § 2 of this Article.

2. Reservation in accordance with Article 28 § 3.

Pending the outcome of discussions concerning Community accession to COTIF, the Slovak Republic will not apply the following appendices of COTIF:

- The Uniform Rules concerning the Contract of Use of Infrastructure in International Rail Traffic (CUI – Appendix E to the Convention)
- 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 the Convention)
- The Uniform Rules concerning the Technical Admission of Railway Material used in International Traffic (ATMF – Appendix G to the Convention).

Spanje, 18 juni 2002

In accordance with Article 42 of COTIF, Spain declares that it will not apply the following Appendices:

- The Uniform Rules concerning the Contract of Use of Infrastructure in International Rail Traffic (CUI – Appendix E to the Convention)
- 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 the Convention)
- The Uniform Rules concerning the Technical Admission of Railway Material used in International Traffic (ATMF – Appendix G to the Convention).

Tsjechië, 13 december 1993

The Czech Republic and the Slovak Republic, successor states of Czechoslovakia, maintained the reservations expressed by Czechoslovakia, however provided that the reservation in accordance with Article 3, §1 of Appendix A concerns respectively Czech or Slovak nationals and people with their usual place of residence in the Czech Republic or the Slovak Republic.

Tsjechië, 22 december 2003

1. By virtue of § 3 of Article 12 of the Convention, the Czech Republic does not consider itself bound by the provisions of § 1 and § 2 of this Article.

2. Reservation in accordance with Article 28 § 3.

In accordance with Article 42 of the Convention concerning International Carriage by Rail (COTIF) of 9 May 1980 in the version of the Protocol of Modification of 3 June 1999, the Czech Republic makes the reservation that it will not apply the following Appendices to the Convention:

- CUI – Uniform Rules concerning the Contract of Use of Infrastructure in International Rail Traffic – Appendix E to the Convention;
- APTU – 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 – Appendix F to the Convention;
- AMTF – Uniform Rules concerning the Technical Admission of Railway Material used in International Traffic – Appendix G to the Convention.

Tsjechoslowakije (<01-01-1993), 28 januari 1983

The Czechoslovak Socialist Republic, in accordance with Article 12, § 3 of the Convention concerning International Carriage by Rail (COTIF), concluded at Berne on 9 May 1980, will not apply Article 12, § 1 thereof and, in accordance with Article 3, § 1 of Appendix A – CIV Uniform Rules, will not apply to passengers involved in accidents occurring in its territory the whole of the provision concerning the liability of the railway in case of death or of personal injury to passengers, when such passengers are nationals of the Czechoslovak Socialist Republic or have their usual place of residence in the Czechoslovak Socialist Republic.

Verenigd Koninkrijk, 29 juni 2006

[...]

The United Kingdom of Great Britain and Northern Ireland declares, pursuant to article 42 of the Convention, that it will not apply the following Appendices to the Convention:-

- (i) Appendix E – “CUI” – Uniform Rules concerning the Contract of Use of Infrastructure in International Rail Traffic.

- (ii) Appendix F including its Annexes – “APTU” – 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.
- (iii) Appendix G – “ATMF” – Uniform Rules concerning the Technical Admission of Railway Material used in International Traffic.

Zweden, 25 maart 1985

Sweden declares, pursuant to Article 3 § 1 of the CIV Uniform Rules, that it will not apply the whole of the provisions concerning the liability of the railway in case of death of, or personal injury to, passengers where the accident occurs in its territory and the passengers are Swedish nationals or have their usual place of residence in Sweden.

Protocol van 20 december 1990

Zie *Trb.* 2011, 15.

Protocol van 3 juni 1999

Zie rubriek E van *Trb.* 2000, 70 en rubriek F van *Trb.* 2002, 25.

Partij	Onder-tekening	Ratificatie	Type*	In werking	Opzeg-ging	Buiten werking
Albanië		28-09-00	T	01-07-06		
Algerije	22-12-99	04-02-03	R	01-07-06		
Armenië		30-12-10	T	01-07-11		
België	03-06-99	14-08-07	R	14-08-07		
Bosnië en Herzegovina	03-06-99	16-05-06	R	01-07-06		
Bulgarije	03-06-99	29-11-04	R	01-07-06		
Denemarken	03-06-99	29-09-04	R	01-07-06		
Duitsland	03-06-99	05-09-03	R	01-07-06		
Estland		20-08-08	T	01-01-09		
EU (Europese Unie)		01-07-11	T	01-07-11		
Finland	28-10-99	04-08-04	R	01-07-06		
Frankrijk	23-12-99	29-05-06	R	01-07-06		
Griekenland	03-06-99	02-06-08	R	02-06-08		
Hongarije	03-06-99	15-04-04	R	01-07-06		

Partij	Onder- tekening	Ratificatie	Type*	In werking	Opzeg- ging	Buiten werking
Iran		15-06-04	R	01-07-06		
Italië	03-06-99					
Kroatië	03-06-99	09-03-01	R	01-07-06		
Letland		23-02-00	T	01-07-06		
Libanon	20-12-99					
Liechtenstein	03-06-99	13-05-03	R	01-07-06		
Litouwen	03-06-99	10-11-03	R	01-07-06		
Luxemburg	03-06-99	29-06-06	R	01-07-06		
Macedonië, de voormalige Joegoslavische Republiek		26-02-01	T	01-07-06		
Marokko	28-10-99	28-04-11	R	28-04-11		
Monaco		11-07-00	T	01-07-06		
Montenegro		21-12-09	T	01-07-10		
Nederlanden, het Koninkrijk der – Nederland: – in Europa – Bonaire – Sint Eustatius – Saba – Aruba – Curaçao – Sint Maarten	15-12-99	11-09-02 – – – – – –	R	01-07-06 – – – – – –		
Noorwegen	20-12-99	27-01-05	R	01-07-06		
Oekraïne		26-10-07	T	01-11-07		
Oostenrijk	03-06-99	22-01-04	R	01-07-06		
Polen	03-06-99	03-03-03	R	01-07-06		
Portugal	09-12-99	07-04-05	R	01-07-06		
Roemenië	03-06-99	08-03-02	R	01-07-06		
Russische Federatie		21-08-08	T	01-02-10		
Servië		24-01-01	T	01-07-06		

Partij	Onder- tekening	Ratificatie	Type*	In werking	Opzeg- ging	Buiten werking
Slovenië	15-12-99	10-02-04	R	01-07-06		
Slowakije	03-06-99	11-06-04	R	01-07-06		
Spanje	03-06-99	18-06-02	R	01-07-06		
Syrië	03-06-99	04-07-05	R	01-07-06		
Tsjechië	03-06-99	22-12-03	R	01-07-06		
Tunesië	28-10-99	31-08-00	R	01-07-06		
Turkije	30-12-99	03-04-06	R	01-07-06		
Verenigd Koninkrijk	03-06-99	29-06-06	R	01-07-06		
Zweden	03-06-99					
Zwitserland	03-06-99	07-05-02	R	01-07-06		

* O=Ondertekening zonder voorbehoud of vereiste van ratificatie, R=Bekrachtiging, aanvaarding, goedkeuring of kennisgeving, T=Toetreding, VG=Voortgezette gebondenheid, NB=Niet bekend

G. INWERKINGTREDING

Zie *Trb.* 1985, 12, rubriek J van *Trb.* 1991, 6 en *Trb.* 1995, 240 en rubriek G van *Trb.* 2011, 15.

Wat betreft het Koninkrijk der Nederlanden, zullen de op 3 juni 1999 aangenomen en op 21 december 2009 gewijzigde Aanhangsels E (CUI), F (APTU) en G (ATMF) op 1 januari 2012 voor Nederland (het Europese deel) in werking treden in verband met de intrekking op 26 oktober 2011 van de verklaring afgelegd ingevolge artikel 42 van het Verdrag.

J. VERWIJZINGEN

Zie voor verwijzingen en overige verdragsgegevens *Trb.* 1980, 160, *Trb.* 1981, 211, *Trb.* 1985, 12, *Trb.* 1986, 66, *Trb.* 1987, 192, *Trb.* 1989, 176, *Trb.* 1991, 6, *Trb.* 1993, 15, *Trb.* 1994, 160, *Trb.* 1995, 240, *Trb.* 1997, 18 en *Trb.* 2011, 15.

Uitgegeven de *achtentwintigste* december 2011.

De Minister van Buitenlandse Zaken,

U. ROSENTHAL