

No. 1719

**AUSTRIA, BELGIUM, DENMARK, FINLAND,
FRANCE, etc.**

**Additional Convention to the International Convention
signed at Rome on 23 November 1933 concerning the
transport of goods by rail (C.I.M.). Signed at Berne,
on 13 May 1950**

Official text: French.

Registered by Switzerland on 30 April 1952.

**AUTRICHE, BELGIQUE, DANEMARK, FINLANDE,
FRANCE, etc.**

**Convention additionnelle à la Convention internationale
signée à Rome le 23 novembre 1933 et concernant le
transport des marchandises par chemins de fer (CIM).
Signée à Berne, le 13 mai 1950**

Texte officiel français.

Enregistrée par la Suisse le 30 avril 1952.

[TRADUCTION — TRANSLATION]

No. 1719. ADDITIONAL CONVENTION¹ TO THE INTERNATIONAL CONVENTION SIGNED AT ROME ON 23 NOVEMBER 1933 CONCERNING THE TRANSPORT OF GOODS BY RAIL (C.I.M.)². SIGNED AT BERNE, ON 13 MAY 1950

Austria, Belgium, Czechoslovakia, Denmark, France, Greece, Hungary, Italy, Liechtenstein, Luxembourg, Netherlands, Norway, Sweden, Switzerland, Turkey and Yugoslavia,³ considering :

That the International Transport Regulations in respect of Privately-Owned Trucks—(R.I.P.)⁴—(Annex VII of the C.I.M.) urgently need revision;

And that the considerable increase in the international transport of containers calls for international regulations to facilitate such traffic which shall first specify the legal system to be applied to such transport and, if necessary, within the framework of C.I.M., prescribe the necessary technical conditions under which the international transport of containers shall operate;

Have decided, on 13 May 1950, following the discussions of the Special Revision Conference held at Berne from 8 to 13 May 1950, to conclude

¹ The Swiss Federal Council having, on 27 February 1951, recognized the practical possibility of putting the Convention into effect, the Convention came into force on 1 April 1951, in accordance with chapter IV for the following States, which deposited their instruments of ratification on the dates given below :

Austria	18 December 1950	Portugal	6 June 1950
Denmark	21 January 1951	Sweden	7 December 1950
Finland	24 October 1950	Switzerland	3 January 1951
France	13 September 1950		

It subsequently came into force for the following States on the dates mentioned below :

	<i>Date of deposit of instrument of ratification</i>	<i>Date of entry into force</i>
Norway	10 April 1951	1 June 1951
Belgium	21 May 1951	1 July 1951
Yugoslavia	19 June 1951	1 August 1951
Netherlands	3 September 1951	1 November 1951
Liechtenstein	14 December 1951	1 February 1952
Turkey	19 January 1952	1 March 1952
Luxembourg	25 March 1952	1 June 1952

² League of Nations, *Treaty Series*, Vol. CXCII, p. 389.

³ The following information is provided by the Government of Switzerland : " The following States did not take part in the discussions on the preparation of the present Supplementary Convention : Bulgaria, Finland, Poland, Portugal, Romania, Spain ".

⁴ League of Nations, *Treaty Series*, Vol. CXCII, p. 616.

A SUPPLEMENTARY CONVENTION

The delegations attending this conference were as follows :

Austria

Dr. G. BRÜLL, Adviser to the Federal Ministry of Communications and Nationalized Undertakings

Belgium

Mr. J. TRUYEN, Director, Ministry of Communications
Mr. H. RONGVAUX, Chief of Division, Ministry of Communications
Mr. ANTOINE, Director, Belgian National Railway Company
Mr. SCHOETERS, Doctor of Law, Belgian National Railway Company
Mr. E. CHAMPENOIS, First Secretary, Belgian Legation, Berne

Denmark

Mr. J. F. Th. JENSEN, Chief of Section, Ministry of Public Works

France

Mr. R. PARATEAU, Controller-General of Transport, Ministry of Public Works, Transport and Tourism
Mr. G. BERLIA, Professor, Faculty of Law
Mr. E. MERMET, Chief Engineer, Commercial Section, French National Railway Company
Mr. P. DURAND, Inspector-General, Claims Section French National Railway Company

Greece

Mr. A. EMBIRICOS-COUMOUNDOUROS, Cultural Attaché, Greek Legation, Switzerland

Hungary

Mr. A. VERMESY, Assistant Director, Ministry of Communications and Post
Mr. Z. MATYASSY, Secretary, Ministry of Communications and Post

Italy

Dr. N. LALONI, Professor, Head of the Commercial Section and State Railway Traffic, Ministry of Transport
Dr. BRANCA, Chief Inspector, Commercial and State Railways Traffic Section, Ministry of Transport
Dr. G. SANTONI RUGIU, Chief Inspector, Commercial and State Railway Traffic Section, Ministry of Transport

Mr. A. MORGANTI, Lawyer, Chief Inspector of the Inspectorate-General M.C.T.C., Ministry of Transport

Mr. A. WEILLER, Lawyer, representative of the Italian Union of Chambers of Commerce, Rome.

Liechtenstein

(Represented by Switzerland)

Luxembourg

Mr. A. CLEMANG, Government Commissary

Norway

Mr. O. HEIER, Assistant Director, Directorate-General of State Railways, Commercial Section

Netherlands

Mr. K. VONK, Director, Ministry of Transport and Public Works

Mr. H. E. SCHEFFER, Legal Adviser, Ministry of Transport and Public Works

Dr. J. H. VAN DER MEULEN, Chief Inspector, Head of the Claims Department, Netherlands Railways

Sweden

Mr. O. STENBERG, Principal Inspector, Assistant to the Director of the Royal Administration of State Railways

Mr. G. DE SYDOW, Judge of the Court of Appeal

Mr. G. HOLVID, Principal Inspector, Assistant to the Director of the Royal Administration of State Railways

Mr. S. NILSSON, Principal Inspector, Royal Administration of State Railways

Mr. S. KAMPH, Director of the Office of Industries

Switzerland

Mr. Ph. ZUTTER, Minister Plenipotentiary and Chief of the Division of International Organizations, Federal Political Department

Mr. J. WICK, Chief of Railway Rates and Traffic Section, Federal Transport Office

Mr. J. FAHM, Chief of the Claims Division, Swiss Federal Railways

Mr. H. DIRLEWANGER, Chief of the Commercial Section, Swiss Federal Railways

Mr. H. HEROLD, Secretary of the Swiss Business and Industrial Union, Zurich

Mr. D. GRANDJEAN, *Attaché de légation*, Federal Political Department

Czechoslovakia

His Excellency Mr. A. TAUBER, Minister Plenipotentiary for Czechoslovakia to Switzerland

Dr. J. HESSLER, Ministerial Adviser, Ministry of Communications

Mr. O. CHARVAT, Administrative Director, General Directorate of Railways

Turkey

Mr. G. GÜRAN, Director-General of State Railways

Mr. H. GERMEYANLIGIL, Vice-President of the Commercial and Receipts Section

Yugoslavia

Mr. J. ZAJC, Counsellor, Ministry of Railways

The following attended the discussions as observers :

Western Germany

Mr. C. DIBBEN

Experts : Dr. E. FROHNE, professor; Dr. O. CONRAD, Mr. W. GÖLLER, Mr. W. HOOTZ, Dr. O. MAIER, Dr. G. TIEBERT, Dr. VERBEEK

United Kingdom of Great Britain and Northern Ireland

Brigadier A. E. M. WALTER, Head of the International Inland Transport Department, Ministry of Transport

Mr. M. BEEVOR, Legal Adviser, Chief Secretary of the British Transport Commission

Mr. R. H. HACKER, Chief (Continental), Railway Executive

Mr. L. H. K. NEIL, Director of Continental Traffic, Eastern and North-East Regions, British Railways

Mr. H. L. SMEDLEY, Legal Adviser, Railway Executive

Mr. E. HARDING, Member of the Legal Department, British Transport Commission

Transport Division of the Economic Commission for Europe

Mr. L. KOPELMANAS, Legal Adviser

International Institute for the Unification of Private Law

Mr. G. DE SYDOW, Assistant Secretary-General

International Railway Union

Mr. J. TUJA, Secretary-General

International Transport Committee

Dr. J. FAHM, Chief of the Claims Division, Swiss National Railways

International Chambre of Commerce

Mr. L. CHARVET, General representative of the *Chambre syndicale de la Sidérurgie française*

Mr. M. BELLARD, Chief of the Transport Section of *Chambre syndicale de la Sidérurgie française*

Mr. U. SIEBER, President of the Swiss Association of Owners of Private Branch Railway lines and special trucks

Mr. Ch. HOSTETTLER, Director of Shell (Switzerland)

Mr. E. NAEGELI, Managing Director, Danzas Company

Mr. L'HUILLIER, Permanent Consultant of the I.C.C. at the European Office of the United Nations

Mr. PRODROMIDES, Legal Adviser, Central Committee of French Marine Insurance Companies

Mr. ZURCHER, Permanent representative in Switzerland of the International Containers Office

International Federation of Transport and similar associations

Mr. P. DUMONT, Secretary-General

The delegations of the above Contracting States have agreed as follows :

SUPPLEMENTARY CONVENTION OF 13 MAY 1950 TO THE INTERNATIONAL CONVENTION CONCERNING THE TRANSPORT OF GOODS BY RAIL (C.I.M.)

I

1. The following paragraph shall be added to article 60 of the C.I.M. :

4. A Committee of Experts is hereby set up to adapt the international transport regulations in respect of privately-owned trucks (Annex VII) to current needs. The organization and functioning of this Committee shall be governed by a statute which shall form Annex X of the present Convention. The Committee's decisions shall be communicated immediately through the Central

Office to the Governments of the States Parties to the Convention. They shall be deemed to have been accepted unless within three months of the date of notification at least one-third of the Governments of the Contracting States object thereto. These decisions shall come into force on the first day of the third month after the month in which the Central Office notifies the Governments of the Contracting States of their acceptance. The Central Office shall specify such date when communicating the decisions.

5. A Committee of Experts is hereby set up to adapt the international transport regulations in respect of containers (Annex IX) to current needs. The organization and functioning of this Committee shall be governed by a statute which shall form Annex X of the present Convention. The Committee's decisions shall be communicated immediately through the Central Office to the Governments of the States Parties to the Convention. They shall be deemed to have been accepted unless within three months of the date of notification at least one-third of the Governments of the Contracting States object thereto. These decisions shall come into force on the first day of the third month after the month in which the Central Office notifies the Governments of the Contracting States of their acceptance. The Central Office shall specify such date when communicating the decisions.

2. An Annex X containing a statute relating to :

(a) The Committee of Experts on privately-owned trucks;

(b) The Committee of Experts on containers

is hereby incorporated in the C.I.M.

Its contents shall be as follows :

Annex X
(Article 60)

STATUTE REGARDING THE COMMITTEES OF EXPERTS ON ANNEX VII (PRIVATELY-OWNED TRUCKS) AND ANNEX IX (CONTAINERS)

Article 1

All Contracting States may take part in the work of the Committees of Experts. A State may be represented by another State. A State may not, however, represent more than two other States.

Article 2

The Governments of the Contracting States shall communicate their wishes and reasoned proposals concerning Annexes VII and IX to the Central Office for International Transport by Rail, which shall immediately bring them to the notice of the other Contracting States. The Central Office shall invite the Committees to meet whenever this may appear necessary, or at the request of one-third of the Contracting States. All the Contracting States shall be given two months' notice of the meetings to be held by the Committees. This notice shall give full particulars of the items on the agenda.

Article 3

At meetings of the Committees, the representatives of one-third of the Contracting States shall constitute a quorum.

Article 4

The Committees shall appoint a chairman and vice-chairman for each session.

Article 5

The decisions of the Committees shall be made by a majority of the States represented. In the event of a vote being equally divided, the proposal shall be considered to be rejected.

Article 6

Each State shall defray the expenses of its representatives.

Article 7

The Central Office shall act as Secretariat and shall conduct the correspondence of the two Committees.

Article 8

The Director or, in his absence, the Deputy Director of the Central Office shall attend the meetings of the Committees in an advisory capacity.

Article 9

The Central Office shall, with the agreement of the majority of the Contracting States, invite representatives of the following to attend the meetings of the Committees in an advisory capacity :

- (a) Non-Contracting States,
- (b) International Governmental organizations concerned with transport, on a reciprocal basis,
- (c) International non-governmental organizations concerned with transport, on a reciprocal basis.

II

The present title of Annex VI shall be amended to read as follows :
“ Statute regarding the Committee of Experts on Annex I ”

III

At the time of the entry into force of the international regulations on the transport of containers (Annex IX), which shall be drafted by the Committee of Experts to be set up in accordance with the provisions of paragraph 1 of the foregoing Chapter I, the following amendments shall be made to the text of article 61 of the C.I.M. :

(1) The following paragraph shall be added to this article :

“ 3. The provisions of Annex IX shall apply to the transport of containers.”

(2) The present 3 and 4 shall become 4 and 5.

(3) Sub-paragraph (5) of the present 3 shall be deleted.

(4) Sub-paragraph (6) of the present 3 shall become sub-paragraph (5).

IV

The present Supplementary Convention shall have the same force and duration as the C.I.M. of 23 November 1933. It shall remain open for signature until 31 August 1950 and, after that date, for accession by States Parties to the C.I.M.

The present Supplementary Convention, which shall be subject to ratification, shall come into force between the States which shall have ratified it on the first day of the second month following that in which the Swiss Federal Government, recognizing the practical possibility of its entry into force, shall have notified the Governments concerned of the deposit of ratifications.

The Swiss Federal Government shall be responsible for receiving and notifying accessions and ratifications.

IN FAITH WHEREOF the present Act has been signed by the following Plenipotentiaries, after having communicated their full powers found in good and due form.

DONE at Berne the thirteenth day of May nineteen hundred and fifty, in a single copy, which shall be deposited in the archives of the Swiss Confederation. A true copy shall be sent to each of the Parties.

For Austria
Dr. G. BRÜLL

For Belgium
His Excellency the Viscount DE LANTSHEERE

For Bulgaria

For Denmark
His Excellency Hans Jakob HANSEN
16 August 1950

For Spain
Mr. F. de REPARAZ

For Finland
His Excellency Reinhold SVENTO
18 August 1950

For France

Mr. R. PARATEAU

For Greece

His Excellency Philon PHILON

21 August 1950

*For Hungary**For Italy*

Dr. N. LALONI

2 June 1950

For Liechtenstein

His Excellency Ph. ZUTTER

For Luxembourg

Mr. A. CLEMANG

For Norway

Mr. O. HEIER

For the Netherlands

Mr. K. VONK

*For Poland**For Portugal*

Acceded on 2 November 1950

*For Romania**For Sweden*

Mr. O. STENBERG

For Switzerland

His Excellency Ph. ZUTTER

*For Czechoslovakia**For Turkey*

Mr. G. GÜRAN

For Yugoslavia

His Excellency Zivota DJERMANOVIĆ

22 August 1950