



INTERNATIONAL INSTITUTE FOR THE UNIFICATION OF PRIVATE LAW
INSTITUT INTERNATIONAL POUR L'UNIFICATION DU DROIT PRIVE

OTIF



ORGANISATION INTERGOUVERNEMENTALE POUR LES
TRANSPORTS INTERNATIONAUX FERROVIAIRES

ZWISCHENSTAATLICHE ORGANISATION FÜR DEN
INTERNATIONALEN EISENBAHNVERKEHR

INTERGOVERNMENTAL ORGANISATION FOR INTERNATIONAL
CARRIAGE BY RAIL

**PREPARATORY COMMISSION FOR THE
ESTABLISHMENT OF THE INTERNATIONAL REGISTRY
FOR RAILWAY ROLLING STOCK PURSUANT TO THE
LUXEMBOURG (RAIL) PROTOCOL**

UNIDROIT 2021
Prep. Comm. Rail/10/Doc. 1
English only
August 2021

SUMMARY REPORT

OF THE TENTH SESSION

**(held via e-mail confirmation procedure as permitted by Rule 16 of the
Rules of Procedure of the Preparatory Commission)**

1. The 10th Session of the Preparatory Commission regarding the establishment of the International Registry for railway rolling stock according to the Luxembourg Protocol to the Convention on International Interests in Mobile Equipment on Matters specific to Railway Rolling Stock was jointly convened by UNIDROIT and OTIF by Note Verbale addressed to member States on 2 July 2021 (N.V. DC10/771). N.V. DC10/771 requested Preparatory Commission Members to approve the conferral of a mandate to a Negotiating Team, composed of Co-Chairs of the Preparatory Commission Antti Leinonen (Finland) and Peter Bloch (USA), Secretary-General Ignacio Tirado and Deputy Secretary General Anna Veneziano of UNIDROIT, Secretary General Wolfgang Küpper and Head of Administration and Finance Department Lunesterline Andriamahatahitry of OTIF, and Chairman Howard Rosen and Secretary Martin Fleetwood of the Rail Working Group, in order to conduct negotiations with the International Service Corporation (ISC) and SITA in relation to a proposed change of ownership or control of the Registrar-designate Regulis S.A., in accordance with Art. 17 of the Contract for the Establishment and the Operation of the International Registry for Railway Rolling Stock. N.V. DC10/771 indicated that the session would take place via e-mail confirmation procedure as permitted by Rule 16 of the Rules of Procedure of the Preparatory Commission. Member States were requested to express their views no later than 26 July 2021.

2. Sixteen member States and three organisations, as members of the Preparatory Commission (see Annex), participated in the session, expressing their approval to conferring the mandate to the Negotiating Team, thus meeting the quorum required by Rule 16 of the Rules of Procedure of the Preparatory Commission. All participants expressed their approval to conferring the mandate to the Negotiating Team.

3. In the light of the above results, the *Co-chairs* declared that the Preparatory Commission authorised the Negotiating Team to conduct negotiations with ISC and SITA in relation to the proposed change of ownership or control.

ANNEX

LIST OF PARTICIPANTS

States

Canada
Finland
Germany
Ireland
Italy
Jordan
Latvia
Luxembourg
Paraguay
Poland
South Africa
Spain
Sweden
Switzerland
United Kingdom
United States of America

Organisations

OTIF
Rail Working Group
UNIDROIT