

**MEMORANDUM OF UNDERSTANDING BETWEEN**  
**THE UNITED NATIONS ECONOMIC AND SOCIAL COMMISSION FOR ASIA AND THE PACIFIC**  
**AND**  
**THE INTERGOVERNMENTAL ORGANISATION FOR INTERNATIONAL CARRIAGE BY RAIL**

**I. INTRODUCTION**

1. The United Nations Economic and Social Commission for Asia and the Pacific (ESCAP) and the Intergovernmental Organisation for International Carriage by Rail (OTIF) reaffirm their desire to work together in areas of mutual interest and establish enhanced relations through the present Memorandum of Understanding (MOU) to promote greater use of railway transport in the ESCAP member countries and thus contribute to achieving the goals of the 2030 Agenda for Sustainable Development.

**II. PURPOSE OF COOPERATION**

2. ESCAP and OTIF, taking into account:
  - (a) the recent surge in international intermodal transport between Asia and Europe;
  - (b) the role that an efficient international railway transport can play in promoting sustainable transport development as part of the efforts of the international community to achieve the Sustainable Development Goals;
  - (c) the long-standing activities of both organizations in the development of international rail transport, in particular between Asia and Europe;
  - (d) the fact that a number of States are members of both ESCAP and OTIF;
  - (e) the importance of close cooperation between all organizations involved in the development of railways in order to develop synergies between work programmes, avoid duplication of work and provide maximum effective use of resources and experience available;
  - (f) the good spirit that has governed the past cooperation between the two organizations; and
  - (g) the increasing importance of reliable and efficient railway transport in facilitating international trade in Asia as well as between Asia and Europe

have agreed to cooperate in the areas of mutual concern and interest set out in this Memorandum of Understanding.

**III. GENERAL PRINCIPLES FOR COOPERATION**

3. Cooperation between the two organizations would include, inter alia, development of joint projects and activities to foster railway transport among ESCAP member countries and connect them with other regions.
4. This MOU imposes no legal obligation upon any party hereto.

#### **IV. JOINT ACTIVITIES**

5. The priority areas for joint activities would include those listed below, which may be amended from time to time with the mutual written consent of both Parties:
  - (a) bringing the Trans-Asian Railway Network into operation, which includes, but is not limited to, the areas described in the Regional Cooperation Framework for Facilitation of International Railway Transport that was adopted by the ESCAP resolution 71/7;
  - (b) developing and application of the COTIF uniform law, particularly railway contract law, carriage of dangerous goods, technical interoperability and safety;
  - (c) supporting the accession of interested ESCAP member countries to COTIF;
  - (d) improving the competitiveness of railways in the transport market;
  - (e) promoting the use of digital technologies in all aspects of railway operations; and
  - (f) bringing assistance to member countries of the Parties in their efforts to develop railway transport through the implementation of joint projects or as requested by them on an ad hoc basis and depending on resources available.

#### **V. EXCHANGE OF INFORMATION**

6. ESCAP and OTIF recognize that effective cooperation depends on open, comprehensive and regular exchange of information at the institutional level. In this regard, each party agrees to:
  - (a) provide to the other party copies of their publications and public documents related to transport, including notifications regarding COTIF uniform law; and
  - (b) give notice, through information posted on the websites of each organization, of:
    - conferences, seminars and workshops being organized or sponsored;
    - exchange of statistics data;
    - regional, country, sector and thematic policy/strategy documents; and
    - sectoral, project and other evaluations.

#### **VI. JOINT RESEARCH**

7. ESCAP and OTIF agree to exert efforts to develop and implement joint studies/projects of mutual interest and/or lend assistance/expertise to one another in the implementation of projects. It is understood that the implementation of joint activities shall be subject to the availability of adequate financial resources. These studies and projects would be aligned with the joint activities mentioned in paragraph 5 and matters related to intellectual property rights would be detailed in the written agreement that would precede these activities. In this regard, both ESCAP and OTIF will make efforts to mobilize the necessary resources in accordance with the financial regulations and rules of their respective organizations.

## **VII. RECIPROCAL INVITATIONS**

8. ESCAP and OTIF recognize that appropriate representation is important for the purpose of joint positioning and advocacy. In accordance with their respective rules of procedure, they agree to notify and invite each other to attend suitable meetings convened under their respective auspices to consider matters in which the other Party may have an interest. Such meetings include, but are not limited to, the ESCAP Committee on Transport and OTIF's General Assembly, and conferences, seminars and workshops relevant to cooperation in the priority areas of joint activities set out in this MOU.

## **VIII. PERIODIC CONSULTATIONS**

9. ESCAP and OTIF recognize that it is important to convene periodic consultations to review what is being planned, what is being implemented, and what is being achieved in terms of results as well as to discuss new challenges, opportunities and problems. Consultations will be arranged at mutually agreed dates and venues, mainly in parallel with the meetings mentioned above in article VII of this MOU.

## **IX. FOCAL POINTS FOR MANAGEMENT OF THE MOU**

10. ESCAP and OTIF agree to designate the followings as focal points for the activities under this MOU:
  - (a) For ESCAP: Director, Transport Division
  - (b) For OTIF: Secretary General

## **X. MONITORING AND EVALUATION OF THE MOU AND JOINT ACTIVITIES**

11. ESCAP and OTIF agree to conduct a joint review of their cooperation five years after signature of this MOU before considering an extension of this MOU.

## **XI. ACKNOWLEDGEMENTS AND USE OF INSTITUTIONAL EMBLEMS**

12. ESCAP and OTIF recognize that the involvement of both organizations in joint activities needs to be publicized. They agree that:
  - (a) there will be acknowledgment of the role and contribution of each organization for joint projects in all public information documentation related to such cooperation; and
  - (b) the use of emblems of each organization in documentation related to cooperation will be in accord with the current policies of each organization concerning such usage.

## **XII. MISCELLANEOUS**

13. This MOU will come into effect on the date of its signature by both Parties and would remain in force until 31 December 2023, unless extended.

14. This MOU may be reviewed at any time by mutual written consent of the Parties. Any amendment shall be done in writing and signed by both Parties.
15. Any specific activities under this MOU shall be covered by a project document or written agreement.
16. This MOU may be terminated by either Party with six months' notice in writing to the other Party, it being understood that the termination shall not affect activities already in operation.

For

The United Nations Economic and Social  
Commission for Asia and the Pacific



Armida Salsiah Alisjahbana  
Under-Secretary-General of the United Nations  
and Executive Secretary of ESCAP

Place: Bangkok, Thailand

Date: 07 DEC 2018

For

The Intergovernmental Organisation for  
International Carriage by Rail



François Davenne  
Secretary General

Place: BERN, SWITZERLAND

Date: 13/12/2018