

Ouvrage

Droit européen et international du Transport Ferroviaire

Publication du cours du Dr. Erik EVTIMOV (Deputy Secretary General, Comité international des transports ferroviaires) : "European and International Rail Transport Law"

The very recent Reader on European and International Rail Transport Law was born out of the dedicated course given by Dr Erik Evtimov at the University of Bern in Switzerland in 2017. The course is tailored specifically towards practitioners in the field with special interest in global contracting and logistics.

The course focuses on Railway transport law and regulations. Existing international railway law is discussed in a comprehensive manner within the framework of the Convention Concerning International Carriage by Rail (COTIF), Agreements on International Goods and Passengers Transport by Rail (SMGS and SMPS) and their interdependencies with European law on railway interoperability. The existing international, European and national rules will be examined for the main purpose of understanding the new role of the railways in the expanding global supply chain of goods and services.

The Reader opens in the first part with an overview of the historical legal developments of the railways starting from the invention of the steam engine and its rapid spread across the world throughout the 19th century and the legal development in the 20th century with Relevant Legal Instruments with special view to the Uniform Rules concerning the contract of international carriage of goods and passengers by rail in the framework of COTIF and the respective International Railway Organisations based in Berne, Switzerland.

The second chapter regards the Legal Relationships between the Parties of the Contract of Carriage.

The fifth and sixth chapters deal with the topic of Liability also with regards to the use of infrastructure and wagons respectively.

The seventh chapter is concerned with the Procedural rules and implementation in the rules and products of the CIT.

The Reader then turns in the second part to special topics of interest. Chapter nine explores the interdependences between European and COTIF law with the reflection to the bilateral agreements on surface transport between the Swiss Confederation and the European Union.

Chapter ten details with the Global logistics chains and multimodal rules for door-to-door delivery of goods and services with special emphasis on the Legal interoperability between CIM – SMGS and CIV – SMPS which has been a success story for the railways and the railways organisations like CIT.

Chapter eleven turns to the implications of the Dematerialisation of transport documentation

for freight and passengers a new phenomenon born out the digital age of the 21st Century.

Erik Evtimov studied law at the Universities of Sofia and Bern. He was awarded a Master of European Law (LL.M. Eur.) following post graduate studies in European law at European Institute of the University of Saarland. Erik qualified as a lawyer in Sofia. A doctorate (Dr. iur.) was conferred on him by the University of Bern in 2003 with the distinction "magna cum laude". He has worked as a Senior Legal Adviser in the General Secretariat of the International Rail Transport Committee (CIT) since 2004. Erik was elected as Deputy Secretary General in 2011. He is chairman of the CIT/OSJD CIM/SMGS Legal and Expert Group and of the CIT Working group on Multimodality. He was chairman of the UNECE Informal Group of Experts on Unified Railway Law and is a member of various working groups and committees of the CIT, of the Community of European Railway and Infrastructure Companies (CER) in Brussels, of the International Union of Railways (UIC) in Paris and of the Intergovernmental Organization for International Carriage by Rail (OTIF) in Bern. He is a lecturer in European and International Rail Transport Law at the University of Bern and visiting lecturer at the University Lumiere2 Lyon (Université Lumière Lyon 2) in Rail Transport Law.

The Reader can be ordered at the Library of the University of Berne at : <http://www.bugeno-unibe.ch/buchhandlung-uni-hauptgebaeude/skripten/>