

**ORGANISATION FOR CO-OPERATION BETWEEN
RAILWAYS
(OSJD)**

The 7th Edition
With amendments and additions approved by the XLVIII session
of the OSJD Ministerial Conference (28-30 September, 2020)

With effect from 1 November 2020

Note: The 6th Edition of 7 June 2019 becomes void.

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**THE STATUTE OF THE ORGANISATION FOR
CO-OPERATION BETWEEN RAILWAYS**

The executive authorities in charge of railway transport or central railway authorities of the States: Republic of Azerbaijan, Islamic Republic of Afghanistan, Republic of Belarus, Republic of Bulgaria, Hungary, Socialist Republic of Vietnam, Georgia, Islamic Republic of Iran, Republic of Kazakhstan, People's Republic of China, Korean People's Democratic Republic, Republic of Korea, Kyrgyz Republic, Lao People's Democratic Republic, Republic of Latvia, Republic of Lithuania, Republic of Moldova, Mongolia, Republic of Poland, Russian Federation, Romania, Slovak Republic, Republic of Tajikistan, Turkmenistan, Republic of Uzbekistan, Ukraine, Czech Republic, Republic of Estonia, having powers from their governments (hereinafter referred to as the Contracting Parties),

being conscious of the relevance of the development of international railway transport operations,

emphasizing the need to create a single railway transport space in the Eurasian region,

helping to increase the competitiveness of transcontinental railway lines,
have agreed on the following:

Article I

GENERAL PROVISIONS

1. The Contracting Parties shall continue their activities in the Organisation for Co-operation between Railways on the basis of this OSJD Statute (hereinafter referred to as the Statute).

2. The official abbreviation for the name of the Organisation for Co-operation between Railways is OSJD.

3. OSJD is an international Organisation acting on the basis of this Statute.

4. OSJD is a subject of international law and has the legal capacity necessary to carry out its activities.

5. OSJD and its representatives enjoy privileges and immunities in the OSJD Member States.

Article II

ACTIVITY ASPECTS

The main activity aspects of OSJD are as follows:

1) Development and improvement of international railway transport, primarily between Europe and Asia, including combined transport;

2) Shaping a coordinated transport policy in the field of international traffic by rail, developing a strategy for the operation of railway transport and for the OSJD activity;

3) Improvement of international transport law, management of affairs under the Agreement on International Passenger Traffic by Rail (SMPS), the Agreement on International Goods Traffic by Rail (SMGS) and other legal documents relating to international rail transport;

4) Cooperation on issues relating to the economic, information, scientific-technical and environmental aspects of railway transport;

5) Drafting of measures for higher competitiveness of railways in comparison with other modes of transport;

6) Cooperation in the field of railway transport operations and on technical issues relating to the further development of international railway traffic;

7) Training and education on the application issues of the OSJD legal framework in the field of international railway traffic;

8) Cooperation with international organisations dealing with railway transport operations, including combined transport.

Other areas of activity are feasible in accordance with the decisions of the OSJD governing bodies.

Article III

MEMBERSHIP

1. OSJD Members are the executive authorities in charge of railway transport, or the central railway authorities with powers from their governments. An OSJD Member may appoint a representative to represent it in the OSJD.

2. OSJD Observers and OSJD Affiliated Enterprises may participate in the OSJD activity, with their rights and obligations determined by agreements.

3. The Observer's status shall be granted by the OSJD Ministerial Conference (hereinafter referred to as the Ministerial Conference) as advised by the OSJD Committee (hereinafter referred to as the Committee), taking into account the proposals of the Conference of General Directors (Authorized Representatives) of OSJD Railways (hereinafter referred to as the Conference of General Directors).

4. The Affiliated Enterprise's Status shall be granted by the Conference of General Directors as advised by the Committee.

5. The Committee shall conclude agreements on the Observer's status on behalf of the Ministerial Conference and on the Affiliated Enterprise's status on behalf of the Conference of General Directors.

Article IV

GOVERNING BODIES

1. The OSJD Ministerial Conference is the supreme OSJD governing body.
2. The OSJD Conference of General Directors is the governing body at the level of railways (railway undertakings).
3. The Ministerial Conference shall consider and, in view of proposals by the Conference of General Directors, take decisions on issues relating to the OSJD activity aspects, above all, under paragraphs 1, 2, 3, 4, 7 and 8 of Article II of this Statute, as well as those relating to as follows:
 - OSJD Activity Report;
 - OSJD Budget and OSJD Committee's Staffing Table;
 - OSJD Audit Commission Report (hereinafter referred to as Audit Commission);
 - Admission of new members, granting the OSJD Observer's status;
 - Amending and modifying the OSJD Statute.
4. The Members of the Ministerial Conference shall implement the decisions adopted by the Ministerial Conference within rights granted in accordance with the national legislation of their States. Decisions on the matters that go beyond the rights granted to them are subject to the approval of the relevant government.
5. The session of the Ministerial Conference is held, as a rule, once a year.
6. The Conference of General Directors (Authorized Representatives) of OSJD Railways (CGD) organises the work and takes decisions within the capacity of railways and railway undertakings, in accordance with paragraphs 4, 5, 6 and 8 of Article II of this Statute, as well as those on granting the Affiliated Enterprise's Status.
7. The Conference of General Directors is held, as a rule, once a year. The Conference may authorize the Commissions, OSJD Permanent Working Groups and OSJD Committee to individually tackle certain issues within the competence of the Conference of General Directors.
8. The Ministerial Conference and the Conference of General Directors shall take decisions in the field of their activities:
 - setting up and specifying the number of working groups and other bodies, defining their structure, work program, objectives, duration and terms of reference;
 - approving the appointments of the OSJD Committee's top management and distribution of positions of the OSJD Commissions' chairpersons and specialists and the OSJD Permanent Working Groups' specialists among the OSJD Members and, in other areas relating to the OSJD activity.
9. The Ministerial Conference and the Conference of General Directors shall establish their own rules of procedure, as well as the decision-making procedure in all OSJD bodies within their competence, including the rules of procedure for the Joint

meeting of Authorized Representatives of Members of the OSJD Ministerial Conference and Members of the Conference of General Directors of OSJD Railways.

Article V

EXECUTIVE BODY

1. The OSJD Committee is the executive body of the Organisation.
2. The OSJD Committee exercises control over OSJD activities in the period between the sessions of the Ministerial Conference and the Conference of General Directors in accordance with the OSJD Committee's Regulation.
3. The OSJD Committee functions as a depository for this Statute as well as other agreements and contracts concluded within the OSJD, unless otherwise stated in these documents.
4. Each OSJD Member shall be obliged to delegate one representative to the Committee for work.
5. The Ministerial Conference shall, taking into account proposals by the Conference of General Directors, approve the OSJD Committee's Regulation.

Article VI

WORKING BODIES

OSJD working bodies are as follows:

- OSJD Commissions;
- OSJD Working Groups;
- Joint Groups of OSJD and other international organisations;
- Meeting of Representatives of OSJD Members;

other working bodies established by decision of the Ministerial Conference and the Conference of General Directors.

Article VII

VOTING

1. Each OSJD Member has one vote.
2. At the level of the Ministerial Conference, decisions shall be adopted by the Members participating in the Ministerial Conference with their unanimous voting. A decision to apply sanctions for the unpaid membership fees shall be adopted without participation in the voting of the OSJD Member who has not paid its membership fees.

3. At the level of the Conference of General Directors (CGD), decisions shall be adopted by a two-thirds vote of the Members participating in the CGD, with the exception of decisions on as follows:

financial implications arising from agreements and contracts concluded within the framework of OSJD, if they provide for such a decision procedure;
 modifications and amendments to this Statute;
 distribution of membership fees;
 the OSJD Committee's Budget;
 admission of new OSJD Members,
 on those for which decisions shall be taken unanimously.

4. When considering the issues relating to international agreements and treaties of the OSJD, the Parties to these agreements and treaties shall enjoy the right to adopt such decisions.

5. The decision-making procedure provided for in the agreements and contracts referred to in paragraph 4 of this Article must comply with the decision-making procedure available in the OSJD bodies and stipulated in the relevant regulations.

Article VIII

FINANCIAL MATTERS

1. OSJD activity is financed by OSJD members.

2. The OSJD Committee's Budget shall be drawn up for one year and approved by the Ministerial Conference, taking into account proposals by the Conference of General Directors. The Budget Execution Report for the past fiscal year shall be approved by the Ministerial Conference.

3. The OSJD Member shall be obliged to pay its annual membership fee annually in three installments: 30% before 30 November of the year preceding the Budget year, 60% before 31 March of the Budget year and the remaining part before 31 July of the Budget year. This provision does not preclude the possibility of full or partial payment of membership fees ahead of schedule.

4. The amount and distribution of membership fees shall be annually specified by the Ministerial Conference, taking into account proposals by the Conference of General Directors.

5. In the event of the late payment of annual membership fees, the following sanctions may apply:

accrual of interest in the amount of 6% per annum, starting from 1 July of the Budget year;

deprivation of the right to use the OSJD privilege and single tickets held by the OSJD Member-debtor;

deprivation of the OSJD Member-debtor of the right to vote for decisions in all OSJD bodies;

deprivation of the OSJD Member-debtor of the right to have its representative in the OSJD Committee, and the resumption of work of its representative in the OSJD Committee can be resumed only after the debt has been paid off.

The decision to apply sanctions shall, in each specific case, be adopted by the Ministerial Conference.

6. The Chairman of OSJD Committee shall manage the financial resources of the OSJD Committee, and in his absence one of the Deputies Chairman of the OSJD Committee.

7. The OSJD governing bodies may set up financial funds to carry out certain work under the methodology agreed by the interested OSJD Members.

Article IX

AUDIT COMMISSION

1. The Audit Commission shall be set up to control the regular appropriation of financial resources by OSJD Committee, which is composed of one representative from three OSJD Members appointed by the Ministerial Conference in view of proposals of the Conference of General Directors.

In its activities, the Audit Commission shall follow the “OSJD Audit Commission’s Work Procedure” approved by the Ministerial Conference.

2. The Audit Commission shall at least once a year conduct a documented audit of the financial activities of OSJD Committee. The Chairman of the Audit Commission shall inform the Chairman of OSJD Committee on the outcome of the audit and deliver its report at the session of the Ministerial Conference.

Article X

SEAT OF OSJD COMMITTEE

The OSJD Committee is located in the state of one of the OSJD Members.

The seat of the OSJD Committee shall be determined by the Ministerial Conference every 5 years in view of proposals of the Conference of General Directors.

Legal relations between the OSJD and the host State shall be stipulated by an agreement concluded by decision of the Ministerial Conference.

Article XI

ADMISSION OF NEW MEMBERS AND TERMINATION OF MEMBERSHIP

1. Admission to OSJD membership shall be carried out by the Ministerial Conference on the basis of applications and on the proposal of the OSJD Committee, taking into account proposals by the Conference of General Directors.

2. An application for withdrawal from the OSJD shall be submitted to the Chairman of OSJD Committee six months before the end of the calendar year. In this case, membership terminates on 1 January of the following year.

3. Admission to OSJD of new members is feasible with the written consent of all OSJD Members, if none of them has, within two months from the date of distribution of the application by the Committee, objected to the admission of a new Member to the OSJD.

Article XII

LANGUAGES

1. Chinese and Russian are OSJD working languages.

2. Each OSJD Member has the right to use other languages. In this case, a Member shall be obliged to provide translation into any of the working languages.

3. English and German can be used in international relations.

Article XIII

FINAL PROVISIONS

1. This Statute may be amended and modified by decision of the Ministerial Conference in view of proposals of the Conference of General Directors in accordance with paragraphs 3 and 4 of Article IV of this Statute.

2. This Statute is drawn up in Chinese and Russian. The texts in these languages are equally valid. With different interpretations of the texts, clarifications shall be made according to the text in Russian.

Article XIV

ENTRY INTO FORCE OF THIS STATUTE

This Statute shall, being in force since 1957 with all amendments and modifications as of 1 November 2020 approved and made in the prescribed manner for the entire period of validity, enter into force on 1 November 2020.