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2025: a year of legal developments to come

Editorial



Dear readers,

2025 is shaping up to be an interesting year on many fronts.

International railway laws continue to evolve. OTIF has launched a revision process of the COTIF Uniform Rules, and new EU norms are under adoption. Furthermore, the new Convention for the International Carriage of Goods has just been adopted by the United Nations.

All these updates will be described in this issue of CIT News.

Throughout 2025, we will keep you informed in priority of all our new products and internal events.

The recent CIM Committee adopted a template for subcontracting agreements in substitute transport. The document is available for our members on the website and could also be of interest as presenting detailed annexes. The CIT Agreement on Journey Continuation has also been updated with new annexes. Its digitalization is the next key step of the development of the AJC.

As well as CIT products, this issue also examines recent case law and practical advice.

A recent ECJ case appears of interest when it comes to passengers' obligation to mention their gender in ticket reservations. In freight transport, readers are reminded of the use of consignment identification number in transport documentation.

On 12 June, the Data Protection Conference will be held in Bern for our members. This is an opportunity to exchange and be informed on the latest trends in data, data protection and cybersecurity in rail transport. All the CIT team will welcome you.

The life of CIT also takes the shape of regular meetings, as the CUI committee and the two recent expert groups on seals and waste transport.

As history also builds the future, the year 2025 reminds us of the 200th birthday of the steam railway. A birth commemorated by our British members and one that led to the present rail activities worldwide.

Wishing you happy reading.

Gilles Mugnier

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OTIF proposals for the COTIF 1999 revision: meeting of the Ad hoc Committee on Legal Matters and International Cooperation

The 16th OTIF General Assembly took place on 25 and 26 September 2024 at UPU in Bern. 45 of the 51 Member States took part in the meeting, including the Republic of Moldova, which as a new member was attending for the first time; the European Union was also represented. The People's Republic of China and Turkmenistan were present as observers. The CIT GS also attended the General Assembly, where it was represented by the Deputy Secretary-General. Following a thorough discussion of the presentation of CIT's suggested revisions of the CIM UR, the OTIF General Assembly decided to include them in the OTIF programme of work for 2025-2027. At the General Assembly the mandate of the ad hoc Committee on Legal Affairs and International Cooperation was also extended for the period 2025-2027 and the 7th session of the ad hoc

Committee was prevued for 8-10 April 2025.

In October 2024, the OTIF Secretariat then issued a [survey](#) on revision needs, including the COTIF CIV UR (Uniform Rules concerning the Contract of International Carriage of Passengers by Rail – Appendix A), CIM UR (Uniform Rules concerning the Contract of International Carriage of Goods by Rail – Appendix B), CUV UR (Uniform Rules concerning Contracts of Use of Vehicles in International Rail Traffic – Appendix D) und CUI UR (Uniform Rules concerning Contracts of Use of Infrastructure in International Rail Traffic – Appendix E). The CIT GS sent the OTIF Secretariat a comprehensive reply on 17 January 2025. All the responses received to the survey are contained in OTIF document “LAW-25016-JUR 7/4” of 25 February 2025, which collects the replies

from the 40 stakeholders who answered. Since there are many lengthy documents involved (19, including some working documents from previous meetings), members are welcome to contact the CIT GS which will provide the documents on request.

The OTIF Secretariat has also sent another two documents in relation to the CUV UR revision: LAW-25020-JUR 7/6 “Wagon law” and LAW-25022-JUR 7/6 “Liability under Article 7 of the CUV UR”. In relation to the CIM UR and CUV UR and the operation of empty wagons, the OTIF paper gives the impression that no clear legal distinction is drawn between the contract of carriage of loaded wagons under the CIM UR (in casu Art. 24 § 1 CIM) on the one hand and the contract of use for empty wagons under the CUV UR (Art. 4 CUV) on the other hand.

The lack of a clear and strict distinction between the contract of carriage under the CIM UR and the contract of use under the CUV UR can have serious legal consequences for COTIF Member States and other users of COTIF law such as CIT and its members should this not be discussed thoroughly and clarified at the meeting.

It seems likely that the OTIF Secretariat is planning a further two “consultations of the consultations” for the Ad-hoc Committee’s meeting in April 2025 to take matters further: one on wagon law under the CUV UR and the other on digitalisation of transport documents under the CIM UR.

The outcomes of these consultations will then be addressed in detail at the eighth meeting of the Ad-hoc Committee in autumn 2025 (first half of November).

The ad hoc Committee based on the 7th session will discuss future topics for its work programme and in particular, those topics on which it would like to make progress by the next session in November 2025.

In particular, the ad hoc Committee will initiate general consultation on the need to revise the CIV UR, CIM UR, CUV UR and CUI UR or relevant common provisions in COTIF. In addition, more specific consultation of stakeholders will be with high priority initiate to revise Article 7 CUV UR and on the movement of empty wagons besides digitalisation of the transport documents in passenger and freight transport.

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The new Convention for International Carriage of Goods by Rail (URL): state of play

The URL Convention was adopted on 17 November 2023 at the seventy-seventh session of the Working Party on Rail Transport of the Inland Transport Committee of the United Nations Economic Commission for Europe (SC2 UNECE). In accordance with its article 43, the Convention was open for signature by all States at United Nations Headquarters in New York until 31 March 2025.

In accordance with article 44 para (1) “This Convention shall enter into force six months after the date on which five States have deposited their instruments of ratification, acceptance, approval or accession”. Four countries have so far signed the Convention, namely Togo on 27 June 2024; the Netherlands on 21 November 2024; China on 19

March 2025 and Germany on 27 March 2025. To take effect, the Convention needs five legally valid instruments of ratification, accession, acceptance or approval provided to the depositary. CIT will continue to closely monitor the development of the ratification process of this important legal instrument for the unification of international rail transport law.

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CIV Working Group focuses on developments in EU legislation and on international level

The CIV Working Group met on 19 and 20 February in-person in Bern and online. The highlights of the meeting, chaired by Oliver Hirschfeld (DB), were discussions on developments in EU legislation such as the proposed Regulation on passenger rights in the context of multimodal journeys as well as a survey on a possible revision of the CIV Uniform Rules.

The CIV Working Group was updated on the latest developments concerning the proposal on multimodal passenger rights and the review of the Passenger Rights Framework. After the proposals were made by the European Commission, the Council reached a General Approach on the draft texts. The proposals are now being discussed within the Parliament.

Proposal of the European Commission on multimodal passenger rights and review of the Passenger Rights Framework - Proposed amendments to Rail PRR 2021



The Chair of the CIV Working Group, Oliver Hirschfeld, thanked Jan Svensson for his achievements for CIT.



Important developments in the field of the Telematics TSI

In addition, participants in the CIV Working Group were given an overview of the status of the TSI revision; the key points of the text proposal were presented. The importance of the Open Sales and Distribution Model (OSDM) was once more emphasized and that CIT is advocating for its inclusion in the TSI.

OTIF consultation on a possible revision to COTIF and its appendices

One other important topic was the discussion on a survey launched by the OTIF Secretariat concerning a potential revision to COTIF itself and its appendices on railway contract law such as the CIV Uniform Rules (“CIV”) etc. During the last meeting of the CIV Working Group, members already discussed the replies to the survey and which amendments to the CIV might be necessary. The answer to the survey was submitted to OTIF in January this year. The CIV Working Group considered it important to ask whether the definition of carrier in the CIV corresponds to market needs and what the role of carriers as ticket vending entities in the CIV is. These topics were further discussed during the meeting in February.

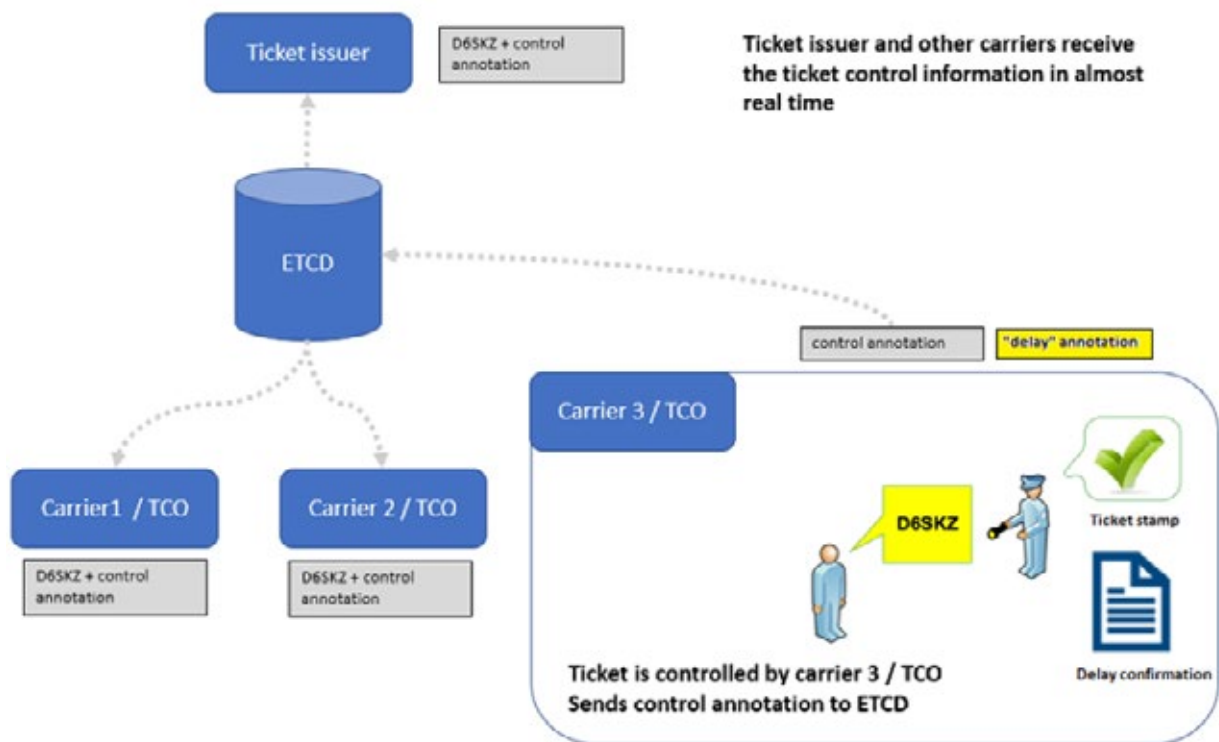
Court cases and legal questions on the Rail PRR

Also discussed were interesting court cases such as a preliminary ruling of the Court of Justice of the European Union on data protection and ticketing which can be found on page 19 of this edition of CIT News. Other passenger rights issues were subsequently discussed, especially that of extended ticket booking horizons in connection with passenger rights.

Finally, the CIV Working Group also honoured Jan Svensson at the session. Jan has made an enormous contribution to the work of the CIT CIV Working Group in various roles, as SJ representative, as chair and of course as a member of the CIT team. The CIV WG and the entire CIT team would like to thank Jan once again for his many years of cooperation and extraordinary support.

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The goal for 2025: digitalisation of the Agreement on Journey Continuation (AJC)



The digitalisation of the Agreement on Journey Continuation (AJC) marks a significant step in simplifying processes for both passengers and railway companies. This milestone will streamline operations, making journey continuation more efficient and passenger-friendly by introducing a fully digital delay confirmation.

From harmonisation to digitalisation

Before moving towards digitalisation, a crucial milestone was achieved with the harmonisation of the CIT delay confirmation, as reported in the previous edition of CIT News. This uniform delay confirmation, approved by the CIV Committee in 2023, laid the foundation for a digital transformation. Standard-

ising this process ensured that all railway undertakings would use the same format for confirming delays and cancellations, reducing inconsistencies and improving efficiency. However, in an increasingly digital world, the next logical step was to move from paper-based confirmations to a digital system.

Implementing the digital delay confirmation

In cooperation with UIC, CIT has worked on the digital delay confirmation based on the Electronic Ticket Control Database (eTCD), as technically described in the UIC IRS 90918-4 specification. A key feature of this solution is digital annotation, which allows the ticket control organisation (TCO) to register and access real-time information on ticket

validity, changes in itinerary, and electronic annotations, including delay annotations. This means passengers will no longer need to request a paper confirmation, and train staff can access up-to-date travel data directly in the system.

To achieve this, CIT has collaborated closely with UIC's technical working groups to develop a business case, define user scenarios, and ensure smooth integration into the existing ticketing infrastructure. The technical solution was formally adopted by UIC in late 2024 and has been in production since January 2025, following a testing phase. One of the key aspects of this implementation is ensuring that each ticket with a delay confirmation is correctly identified in the eTCD, even when multiple tickets (contracts of carriage) are involved in an AJC journey.

Next steps for railways

With the technical implementation completed on the UIC side, the focus now shifts to railway undertakings (RUs). The success of AJC digitalisation depends on the effective application of eTCD and the delay annotation by RUs. This requires not only technical adaptations but also internal process adjustments to fully integrate digital delay confirmations into railway operations. In parallel, amendments to the AJC agreement will be introduced by CIT to align with these digital developments.

The goal is clear: the implementation of digital delay confirmation is a key requirement of the CER Ticketing Road Map.

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CIM Committee takes strategic decisions in 2025

At its meeting on 27 March 2025, the CIM Committee chaired by Julie Meunier (Hexafret) endorsed the enhancement of the CIT Freight products. The revision of the COTIF CIM and CUV Uniform Rules is of strategic significance for the work of the CIT General Secretariat, as does the revision of the Telematics TSI at EU level. The day before the meeting, the CIT GS held a CIM workshop attended by 40 representatives of member railways.

New CIT Freight products

In order to enhance the CIT Freight products and meet the market needs of CIT members, the CIT GS has developed a boilerplate contract for sub-contracted carriage through the CIM Working Group (CIM WG). This creates legal certainty at the interface between the contractual or successive carrier(s) and the substitute carrier(s), including a possible legal solution for cascading of the contractual legal obligations between the substitute carriers. For the contractual carrier on the other

side, a harmonised interface for the services performed by the substitute carrier(s) could serve as quality assurance of the sub-contractors involved in the movement.

The CIT GS also intends to amend the definition of the substitute carrier in Article 3 b) CIM in order to enable continued cascading legal obligations between substitute carriers in the CIM Uniform Rules (CIM UR) (see below). In practice, movements often involve several substitute carriers performing all or part of the transport service as well as a number of ancillary services on top of carriage, yet the contractual carrier is not informed of these directly via field 57 (“Other carriers”) of the CIM consignment note.

Revising the COTIF: the CIM and CUV UR

On 7 January 2025, the CIT GS submitted suggestions for revision of the COTIF CIM and CUV Uniform Rules (as well as CIV and CUI) in connection with the OTIF survey of October 2024. These suggestions were discussed at

the 7th meeting of the OTIF Ad hoc Committee on Legal Matters and International Cooperation on 9-10 April 2025.

The CIT specific suggestions on how to revise the CIM UR are based on those already made by CIT with a detailed legal reasoning and relate to the following articles in the CIM Uniform Rules:

- Article 3b Definitions - Amend the definition of “substitute carrier”
- Article 6 § 2 Contract of carriage - Unbundle the contract of carriage from the CIM consignment note;
- Article 23 § 3 lit. a) Basis of liability - Further simplification is proposed for the practical use of open wagons;
- Articles 42, 47 § 2 lit. a) para 2 and 17 § 4 Formal report - Delete the existing provisions on the drawing-up of the formal report and replace them with a proposed new Article 42 CIM on damage reporting and extinction of claims;
- Article 43 § 1 Claims – Change the permitted format for claims: claims henceforth to be possible and authorised in electronic form to foster electronic data exchange.

The OTIF Secretariat has also sent two documents in relation to the CUV UR revision: LAW-25020-JUR 7/6 “Wagon law” and LAW-25022-JUR 7/6 “Liability under Article 7 of the CUV UR”. In relation to the CIM UR and CUV UR and the operation of empty wagons, the OTIF paper gives the impression that no clear legal distinction is drawn between the contract of carriage of loaded wagons under the CIM UR (in casu Art. 24 § 1 CIM) on the one hand and the contract of use for empty wagons under the CUV UR (Art. 4 CUV) on the other hand. The lack of a clear and strict distinction between the contract of carriage under the CIM UR and the contract of use under the CUV UR can have serious legal conse-

quences for COTIF Member States and other users of COTIF law such as CIT and its members should this not be discussed thoroughly and clarified further.

It seems likely that the OTIF Secretariat is planning a further two consultations for the Ad-hoc Committee meeting in November 2025 to take matters: one on wagon law under the CUV UR and the other on digitalisation of transport documents under the CIM UR.

The CIT plans to coordinate the positions of the members in regards of the two planned questionnaires and preserve their interest for the OTIF programme of work 2025-2027.

Revision of TAF TSI and the new “Telematics TSI” at EU level

[Implementing Regulation \(EU\) 2023/1693](#)

was published in the Official Journal of the European Union on 8 September 2023, and amends Implementing Regulation (EU) 2019/773 on the technical specification for interoperability relating to the operation and traffic management subsystem of the rail system within the European Union. The CIT is also involved in the important discussions aiming to alter the regulatory structures of the TSI Telematics, which are taking place in the coordinating meetings with ERA as part of the new Core Team with RNE (Rail Net Europe).

In this context, a letter + technical appendix have been drafted for members of the RISC103 Committee calling for an improved structure and, above all, clarification of the added of the revised Telematics TSI. The draft Telematics TSI defines new tasks extending the use of EDI and introduces new concepts for which the sector can see no benefit.

It is noteworthy that none of these proposals has undergone an impact assessment or cost-benefit analysis.

Version EN08 of the TSI Telematics file and annex (TSI TA) has been analysed in depth at various ad hoc meetings of the Joint Sector Group. Unfortunately, many key comments and proposals made by the sector have been ignored by the European Commission. Along-side CER and UIC, the CIT continues to push for a positive solution for the rail sector through the Joint Sector Group.

Next meeting

The next meeting of the CIM Committee will be held on 26 March 2026 at CIT headquarters in Bern.

Now also the Republic of Paraguay has formally deposited its instrument of accession to the Luxembourg Rail Protocol as the fifth in-row ratification after Spain, Sweden, Luxembourg and Gabon and it will become effective as of 1st March 2025.

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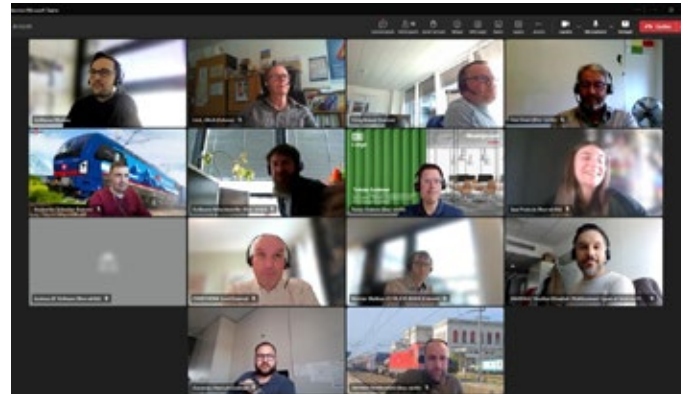
Latest developments from the Expert Group on Waste Shipments

The fifth meeting of the Expert Group on Waste Shipments and, the first to be held in 2025 provided an opportunity to review the issues at stake and the follow-up to the implementation of the new [Waste Shipments Regulation](#) (WSR) published in April 2024 and applicable from May 2026.

Efficient coordination in this matter requires, inter alia, the study of the current regulations (international, supranational and national) and the cooperation of all stakeholders and organizations (OTIF, CIT, UIC, CER, Basel Rotterdam and Stockholm Conventions Secretariat - BRS).

At the online meeting of 5 March 2025, CIT presented the developments of the work done in 2024 (with two new CIT products in the carriage of waste: the [traffic irregularity reporting sheet](#) and the [information sheet on the international transport of waste for rail carriers](#)) and the organisational position of the Expert Group within CIT, where it is now officially linked to the CIM Working Group. Explanations of rail carriers' difficulties with this kind of transport provided a relevant overview of the current situation in the international carriage of waste goods by rail.

The next important steps in 2025 are coming up, starting with CIT's participation in a [specific group](#) on "Electronic approaches to the notification and movement documents" to be held by the Basel Convention Secretariat in Geneva on 2 May during the seventeenth meeting of the Conference of the Parties to



the Basel Convention (BC COP-17). Following that, the next meeting of the Expert Group on Waste Shipments is planned for 2 July 2025 and will be a good occasion to present the results of the [Public Consultation of the EU Commission](#) launched in March-April and the content of the Implementing Act (draft available under the link above) expected on 21 May 2025.

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News from the CIT Expert Group on “Seals”



The CIT Expert Group on “Seals” held a meeting on 12 March 2025, hosted by the CIT in Berne. As a reminder, this CIT group is developing international documents for the use of seals on freight wagons, helping the freight documents to meet railway technology, safety and customs requirements. The CIT Secretary-General Gilles Mugnier and the Chairman of the CIT Expert Group on Seals, Jürgen Scholz (DB Cargo) welcomed participating experts Heribert Rabel and Oliver Hopp (Rail Cargo Austria), Szilard Neuschl and Norbert Márhoffer (Rail Cargo Hungaria, Philip Van den Bosch (UIC) as well as Erik Evtimov and Guillaume Murawa (CIT GS).

During the meeting, the Expert Group discussed the updating of Appendix 1 of the GTM-CIT “Checklist for Sealing Wagons” according to wagon categories, the last update to which was published on 1 July 2024. The Information sheet on “Handling of seals” available in French, English and German in the same document, which took effect on

1 July 2024 (<https://cit-rail.org/en/freight-traffic/products/info-sheet/>), will also be added to the checklist for sealing wagons. A coordination and information update was provided online by Wessel Sijl (DB Cargo Nederland) in his role as chairman of the CER Customs Working Group. The webinar held on 19 November 2024 in cooperation with UIC as part of the ‘Fit For Freight’ event was debriefed for improvement with a view to holding another webinar in the future.

Finally, the Chairman of the Expert Group, Jürgen Scholz (DB Cargo), was warmly congratulated on his excellent work over all these years of good cooperation with CIT and the achievements made with CIT products. Jürgen’s support, professionalism and attention to detail have been greatly appreciated by all our colleagues over the years and the CIT Team wish him all the best for his retirement.

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35th Meeting of the CUI Committee



The CUI Committee took place on 29 April 2025 at CIT headquarters in Bern and online.

The meeting was chaired by Alberto Gallo (Trenitalia) and well attended by diverse railway Undertakings (DB, SNCF and SNCF Voyageurs, Trenitalia, NS, SNCB, CD Cargo, PKP and PKP Cargo, SJ, Renfe, CP-Comboios de Portugal, Hellenic Train) and one representative from the Legal Department of the OTIF as an observer. Discussions focused mainly on two issues in the current context of infrastructure-related topics.

Developments in EU legislation

First, CIT detailed recent developments in EU legislation with the [draft Regulation](#) on the use of railway infrastructure capacity, giving an overview of the draft proposal with explanations on the role of the European Framework for Capacity Management. Some details of the governance structure were also clarified. The discussions outlined important elements of recurrent problems and risks were outlined. The meeting discussed specific questions on the Draft Capacity Regulation, regarding Article 40 for example, which stipulates rules in the event that an infrastructure manager or applicant does not fulfil their commitments with

respect to an allocated capacity right and where this results in (major) changes. This is a key topic for Railway Undertakings, and the CIT will continue to monitor and analyse it in the coming months depending on the evolution of discussions of the text.

Possible revision of the COTIF/CUI Uniform Rules

In the second part of the meeting, the possible revision of the COTIF/CUI Uniform Rules emerged as a major topic after the OTIF Consultation and the ad hoc Committee meeting on Legal Affairs and International Cooperation in April 2025. The CUI Committee submitted its view on a possible revision of the CUI Uniform Rules, considering the CUI Revision in 2018. Some key elements were forwarded to OTIF such as the scope of application and the necessary adjustments to liability between the infrastructure manager and the carrier (Article 8 CUI), in particular the right of recourse of railway undertakings vis-à-vis Infrastructure Managers. During this meeting, CIT reported on the discussions that took place at OTIF level on a possible revision of the CUI and which additional points were submitted by other respondents. OTIF will discuss some key points under its work programme until 2027.

The meeting in Bern was also an opportunity to thank Adriaan Hagdorn (NS), former Chairman of the CUI Committee, for his commitment to the work of the CIT, and to wish him a happy retirement.



The next CUI Committee will be held online in December 2025, and will be an opportunity to address in detail the 2026 work programme, specifically the important issues of the potential revision of COTIF / CUI Uniform Rules, as well as the legal follow-up by CIT to the draft capacity regulation and potential adaptations of CIT products dedicated to the use of infrastructure.

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How is the unique sending identifier in the CIM consignment note established?

As carriage documents progressively go digital, consignment identification is becoming an increasingly relevant issue. Under Article 6 § 3 CIM, “The consignment note shall be signed by the consignor and the carrier. The signature can be replaced by a stamp, by an accounting machine entry or in any other appropriate manner.” The solution found and implemented for the CIM consignment note at CIT level was the sending identification number. This is a combination of digits comprising the country code + station code + carrier code at departure + consignment

number in accordance with field 62 of the CIM consignment note ([GLV-CIM](#)) and is included in the CIM consignment note matrix (see below).

The consignment number is a 5-position number followed by a check digit. The check digit is calculated using a Luhn algorithm. To obtain this, each digit in the consignment number is alternately multiplied by 2 or 1, reading from left to right. This gives the checksum. The difference between the checksum and the next-highest multiple of 10 gives the check digit.

62	Sendungs- Identifikation Consignment number	Land - Country Bahnhof - Station
	8 0	2 9 3 5 8 9
	Unternehmen Undertaking	Versand Nr. Consign'1 no.
	4 2 0 6	7 0 2 6 8 8
39	Ort und Datum der Ausstellung - Place and date completed	
	Olten, 2025-01-15	

Example: the consignment note number is 70268. The checksum is calculated using the values of each digit, as follows: $7 \times 2 = 14$ which becomes 1 and 4 for checksum purposes through to $8 \times 2 = 16$ which becomes 1 and 6 for checksum purposes. Checksum calculation: $1 + 4 + 0 + 4 + 6 + 1 + 6 = 22$.

The next-highest multiple of 10 is 30. The check digit is thus $30 - 22 = 8$ as shown in the screenshot on the left.

This system generates a practical and secure URL (Uniform Resource Locator) number meeting the needs of rail freight carriers in cross-border freight traffic without the need for costly electronic signature processes which have also proven unsuited for banking documents.

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Preliminary ruling on data protection and ticketing

On 9 January 2025, the Court of Justice of the European Union (CJEU) under case C-394/23 issued a preliminary ruling deciding that a customer's gender identity cannot be considered as necessary data for the purchase of a transport ticket

Background of the case

The association "Mousse" challenged, before the French data protection authority (CNIL), the practice of SNCF Connect whereby the latter requires its customers to indicate their title ("Monsieur" or "Madame", i.e. "Mr" or "Ms") when purchasing transport tickets online. The association took the view that this requirement infringed the General Data Protection Regulation (GDPR), in particular the principle of data minimisation (Article 5(1)(c) GDPR), because an indication of the title, which corresponds to a gender identity, does not appear to be necessary for the purchase of a rail transport ticket.

In 2021, the CNIL decided to reject that complaint, finding that the practice did not constitute an infringement of the GDPR. Mousse disagreed with its decision and brought an action before the French Council of State seeking to have the decision of CNIL annulled.

The Council of State asked the CJEU for a preliminary ruling to establish whether, in particular, the collection of data regarding customers' titles, limited to the titles "Monsieur" and "Madame" ("Mr" and "Ms"), could be classified as lawful and consistent with, in particular, the principle of data minimisation,

where that collection is aimed at enabling personalised commercial communication with those customers, in accordance with commonly accepted practices in that field.

Judgement of the CJEU

The CJEU reiterated that, in accordance with the principle of data minimisation (Article 5(1)(c) GDPR), which gives expression to the principle of proportionality, the data collected must be adequate, relevant and limited to what is necessary in the light of the purposes for which those data are processed. The Court also reiterated that the GDPR sets out an exhaustive and restrictive list of the cases in which processing of personal data can be regarded as lawful: that is so, inter alia, where it is (i) necessary for the performance of a contract to which the data subject is party, or (ii) necessary for the purposes of the legitimate interests pursued by the controller (here SNCF) or by a third party.

As regards the first of those two justifications (necessary for the performance of a contract), the CJEU decided that, for data processing to be regarded as necessary for the performance of a contract, that processing must be objectively indispensable in order to enable the proper performance of that contract. In that context, the CJEU found that personalisation of the commercial communication based on a presumed gender identity according to a customer's title does not appear to be objectively indispensable in order to enable the proper performance of a transport contract. The railway undertaking

could choose to communicate based on generic, inclusive expressions when addressing a customer, which have no correlation with the presumed gender identity of those customers. That would be a workable and less intrusive solution.

As regards the second justification for data processing (legitimate interest), the CJEU, whilst referring to its settled caselaw on the matter, stated that the processing of data regarding the title of customers of a transport undertaking, the purpose of which is to personalise the commercial communication based on their gender identity, cannot be regarded as necessary (i) where those customers were not informed of the legitimate interest pursued when those data were collected; (ii) where the processing is not carried out only in so far as is strictly necessary for the attainment of that legitimate interest; or (iii) where, in the light of all of the relevant circumstances, the fundamental freedoms and rights of those customers can prevail over

that legitimate interest, in particular where there is a risk of discrimination on grounds of gender identity.

However, it is important to note that there are specific services, like night trains, where special compartments for female passengers are offered. This offer would therefore require the passenger's gender to be indicated during the booking process. The court commented on this under points 41 and 42 of the decision, stating that these particular cases do not justify a general requirement for all passengers to disclose their sex / gender.

The respective French Court (French Council of State) must now decide on the specific case, taking into account the requirements of the CJEU.

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Executive Committee 1/2025

The Executive Committee met in Bern on 10 and 11 April 2025.

The agenda was mainly dedicated to the adoption of the 2024 financial report, the internal organisation of CIT, and the preparation of the CIT Strategy for 2026-2030.

Under the lead of Chair Maria Sack (DB AG), the Executive Committee reviewed and adopted the 2024 financial accounts to be presented to the next general assembly on 20 November 2025.

The members also adopted the new CIT Code of conduct and the updated internal

regulations on expenses.

The new AJC membership guide as also been presented to the committee members. Lastly, the Executive Committee reviewed the Programme of Work for 2026, also to be submitted to the General Assembly for approval and the cooperation in place with other rail sector organisations.

The next meeting of the Committee is planned to take place in Madrid in September 2025.

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Railway 200, a celebration of the 200th anniversary of the modern railway

2025 marks the 200th anniversary of the modern railway.

An innovation initially from Great Britain that has continued its journey across the globe. Back to the origins: from 1825 to 1863, the Stockton and Darlington Railway (S&DR) was the first railway company to use steam locomotives, operating in the north-east of England.

200 years later, through a series of activities and events during 2025, the British rail industry, under the umbrella of the Rail Delivery Group, is organising Railway 200, a series of events illustrating how rail shaped the world. Railway 200 will also encourage more people to take the train and invite the next generation of pioneering talent to join the railway.



CIT calendar 2025

Date	Meeting/Event	Place
1st Semester		
14 – 15 May	CIV (Passenger) Working Group	Bern/online
12 June	Data Protection Conference	Bern/online
23 - 24 June	CIM (Freight) Working Group	Bern
2nd Semester		
2 July	Expert Group Waste Transport	Online
23 September	CIV Committee	Copenhagen/online
24 September	Passenger Claims Conference	Copenhagen
25 – 26 September	Executive Committee	Madrid
16 October	Freight Claims Conference	Bern/online
19 November	CIV Working Group	Frankfurt/online
20 November	General Assembly	Bern/online
26 – 27 November	CIM (Freight) Working Group	Bern
December, tbc	CUI Committee	Online

