

Swiss court confirms: rail freight safety is a European task

Brussels, 25 August 2026 - UIP welcomes the judgments of the Swiss Federal Administrative Court overturning the national freight wagon safety measures adopted by the Swiss Federal Office of Transport (FOT) in 2025. For UIP, the judgments provide important legal clarity and reinforce the common European approach to rail freight safety.

The Court found that the measures departed from the harmonised rules governing the cross-border use of freight wagons and were not adopted in accordance with the procedures laid down in the EU-CH land transport agreement and the current EU framework for Safety and Interoperability. The Court therefore overturned the measures and referred the matter back to the FOT.

For European rail freight, the judgments restore important legal certainty across the sector and reinforce the principle that one European freight wagon fleet must operate under one common set of rules. Because the Court qualified the measures as a general ruling, the annulment, like the interim suspension in force since November 2025, applies to the entire sector: to all wagon keepers, railway undertakings and entities in charge of maintenance, not only to the appellants. Freight wagons operate across national borders as part of one interconnected European system. Safety requirements affecting their operation and maintenance must therefore be developed and applied through the established framework for European coordination if safety and interoperability are to advance together.

The judgments do not call the safety objective into question. Following the Gotthard Base Tunnel accident, wagon keepers have worked alongside national safety authorities and other railway actors within the Joint Network Secretariat (JNS), coordinated by the European Union Agency for Railways (ERA), to develop harmonised European risk control measures addressing broken wheels.

The European route is the legally established route for this work. The framework itself provides for national requirements in defined cases and through a defined procedure; what it does not permit is their imposition outside that procedure. The latest JNS recommendations published on 7 August 2026 establish a common European approach, which the Court has ruled the FOT must take into account for any future actions.

Cross-border rail freight relies on a European wagon fleet operating under consistent requirements across the network. Diverging national requirements create legal and operational uncertainty for wagon keepers, railway undertakings, maintenance entities and their customers. A wagon compliant with the harmonised European framework should be able to operate across borders without facing divergent national requirements. Common requirements provide the predictability needed to operate wagons safely and efficiently across borders and to support the continued competitiveness and growth of rail freight.

Implementation is under way across Europe. To ensure that the agreed timelines are both ambitious and achievable, they must be grounded in the ongoing JNS feasibility work. The sector is collecting Europe-wide data on fleet and workshop capacity to that end, which will inform the further works and decisions of the JNS.

Gilles Peterhans, Secretary General of UIP, said:

“Europe cannot operate a cross-border freight wagon fleet with a different safety approach at every border. The JNS process allows authorities and the sector to address safety risks together at European level. These judgments reinforce that principle, and wagon keepers are turning the agreed approach into practice.”

About UIP

Founded in 1950, UIP – the International Union of Wagon Keepers, with its seat in Brussels, is the umbrella association of national associations from 14 European countries, thus representing more than 250 freight wagon keepers and Entities in Charge of Maintenance (ECMs). The fourteen member countries are: Austria, Belgium, Czech Republic, France, Germany, Hungary, Italy, the Netherlands, Poland, Spain, Slovakia, Sweden, Switzerland and the United Kingdom.

As the voice for more than 255'000 rail freight wagons, UIP represents half of the whole European wagon fleet - one of the most important resources for rail freight transportation in Europe. Research, lobbying and constant exchange with all stakeholders and organisations interested in rail freight transportation play an important part for the association in gearing all efforts towards a step change in efficiency gains in rail freight services.

UIP is recognised by the European Commission as a Representative Body in the railway sector.

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