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**IMPLEMENTATION OF THE PROGRAMME OF WORK OF THE COMMITTEE:
BIENNIAL EVALUATION FOR THE 2004-2005 BIENNIUM**

Note by the secretariat

I. INTRODUCTION

1. Prior to 2004-2005, a strategic framework was agreed for the work under the Transport Subprogramme during that biennium. The strategic framework included an “objective”, five “expected accomplishments” and a number of “indicators of achievement” for each expected accomplishment.
2. At the end of 2005, using the data it had collected for the indicators of achievement, the secretariat wrote accomplishment accounts that evaluate how well the Subprogramme’s objectives were met and what could be done better in the future. This document contains the accomplishment accounts for the following expected accomplishments: (i) An improved and updated set of ECE legal instruments in the field of transport, (ii) An improved and updated set of vehicle regulations, including global regulations, (iii) Greater implementation of ECE legal instruments in the field of transport, (iv) Improved awareness of the role of transport, in particular transport infrastructure, in enhancing trade and development in ECE member countries in South-East Europe and Central Asia, (v) Further development of UN Recommendations on the Transport of Dangerous Goods and availability of the Globally Harmonized Systems of Classification and Labelling of Chemicals (GHS).
3. The delivery of the Subprogramme was also evaluated on the basis of legislative review by intergovernmental bodies, external evaluation by independent experts and internal evaluation of one selected Subprogramme element, as agreed upon prior to the biennium. References to these evaluations are contained in the annex to this note.

II. OBJECTIVE

4. Objective of the Transport Subprogramme: To ensure the development of an efficient and well-balanced transport system in the region, with a high level of quality, safety, environmental protection and energy conservation.

III. ACCOMPLISHMENT ACCOUNTS

A. An improved and updated set of ECE legal instruments in the field of transport

5. The goal which the accomplishment helps to achieve is efficient and well balanced transport systems with a high level of quality, safety, environmental protection and energy conservation. The legal instruments administered by the Inland Transport Committee and its subsidiary bodies are constantly updated to make them more relevant to modern traffic and transport conditions.

6. This accomplishment is achieved by the discussion and adoption of amendment proposals made by Contracting Parties.

7. This accomplishment is difficult to measure and hard to compare because of the different terminology used for performance indicators. One set of amendments may contain a very large number of modifications to legal instruments but this is not apparent.

8. The performance indicator for this accomplishment is "Number of new and amended legal instruments and recommendations related to: road traffic safety; road transport; border crossing; road, rail, inland water and combined transport infrastructures; transport of dangerous goods; and transport of perishable foodstuffs.

9. Vehicle regulations, which are subject to very frequent amendments due to advances in motor vehicle technology, are included in a separate expected accomplishment. In addition, this accomplishment does not include recommendations on dangerous goods transport negotiated and adopted under ECOSOC which are covered by Accomplishment No. 5. For the sake of this accomplishment, resolutions are considered in the same light as recommendations since their provisions are not legally binding.

10. There are a total of 56 legal instruments on transport issues administered by the UNECE but not all of these are in current use. The fact that Governments wish to amend a legal instrument is an indication that it is relevant to modern transport and important for Contracting Parties. The expected accomplishment was fully met with one new Convention and numerous amendments to existing legal instruments adopted in the biennium. The target of 30 amendments was achieved.

11. In addition to these legal instruments, whose provisions are binding, there are a number of Resolutions made up of recommendations or best practice solutions, which Parties have decided not to make legally binding. These include the Consolidated Resolutions on Road Traffic (R.E.1), Road Signs and Signals (R.E.2), Vehicle Construction (R.E.3) and the Consolidated Resolution on the Facilitation of Transport by Road (R.E.4), which are collections of recommendations on the subjects they deal with. In the case of R.E.4, it is possible for Governments to make reservations to its provisions. This is an indication of the authority these Consolidated Resolutions carry despite not being legally binding.

12. In addition to the legal instruments and the Consolidated Resolutions, there are the resolutions adopted by the subsidiary bodies of the Inland Transport Committee (ITC) or by the ITC itself.

13. The accomplishment is relevant to the regional and global levels since the legal instruments concerned are either European Agreements or Global Conventions. Increasingly, ECE Conventions are finding relevance beyond the European region as it is hoped to replicate their benefits in developing regions of the world.

14. On 26 October 2005, during its 60th session, the UN General Assembly recognised this in its resolution on improving global road safety which encouraged Member States to adhere to the UN Conventions on Road Traffic and on Road Signs and Signals, in order to ensure a high level of road safety in their countries, and also encouraged them to strive to reduce road traffic injuries and mortality in order to achieve the Millennium Development Goals.

15. The end users of this accomplishment are Governments, mainly ministries of transport, justice, environment, health and industry and labour but in the end it is all users of transport, people and businesses, and all consumers who stand to benefit from more efficient transport and trade.

16. This accomplishment may be hard to achieve in future biennia because not all legal instruments are amended every two years. For example, Contracting Parties have decided that the instruments dealing with road safety should only be amended every 5-10 years because of the subsequent need to amend national highway codes. There is also the situation, particularly with the infrastructure agreements, that the number of amendments will diminish as the networks are completed.

B. An improved and updated set of vehicle regulations, including global regulations

17. Instead of an accomplishment account, an internal self-evaluation of the activities of the World Forum for Harmonization of Vehicle Regulations (WP.29) was conducted in this area of work. The main conclusions of the self-evaluation are presented below.

18. During the 2004-2005 biennium, 4 new regulations were annexed to the 1958 Agreement and 132 amendments to the existing Regulations were adopted. In the framework of the 1998 Agreement, 2 global technical regulations were established in the Global Registry and 9 regulations were listed in the Compendium of candidate global technical regulations. A Special Resolution (S.R.1) was adopted on definitions of vehicle categories, masses and dimensions and the Consolidated Resolution on the Construction of Vehicles (R.E.3) was amended.

19. Eight new countries became Contracting Parties to the Agreements administered by the World Forum. Four of them, India, Korea, Malaysia and Thailand, situated outside the UNECE region, reinforced the global competence of the World Forum.

20. The UNECE Regulations developed in the framework of the 1958 Agreement have made motor vehicles much safer and more environmentally sound. Regarding vehicle safety it is estimated that new vehicles today are four times safer than those manufactured 30 years ago.

21. With regard to the pollutant emissions of passenger cars (CO, HC, NO_x and particulates), the successive amendments of the Regulations concerned have drastically reduced these

emission limits for both petrol and diesel engines. In comparison with the emission limits established in 1970, the emission limits of CO, HC and NO_x for passenger cars of 2008 will be more than 20 times lower. The particulate emission limits are about 10 times lower than the 1990 limits. Regarding heavy goods vehicles, the reduction is also considerable. In comparison with the 1988 limits, current limits for CO are 82%, for HC 72% and for NO_x 65% lower. The reduction of particulate emissions was 72% in comparison with the 1992 limits.

22. As to noise emissions, they have been reduced by more than 70 % in terms of acoustic power since 1974.

23. The decision of the European Commission to give up, for a considerable number of its Directives, the elaboration of technical requirements and use instead the Regulations annexed to the 1958 Agreement as the basis for their legislation, as well as the appearance of the first global technical regulations established under the 1998 Agreement show that the World Forum for Harmonization of Vehicle Regulations (WP.29) is now *de facto* the unique and universally recognized body for harmonized vehicle Regulations.

24. By appropriate organization of the work and by simplifying the document flow where possible, the secretariat was able to correctly carry out its tasks and provide an efficient and appreciated support to the World Forum. Nevertheless, the capacity of the secretariat for the treatment of incoming documents is approaching its limits as since 2002 the volume of documents processed has increased by more than 40%.

C. Greater implementation of ECE legal instruments in the field of transport

25. The goal of the accomplishment is the achievement of efficient and well balanced transport systems with a high level of quality, safety, environmental protection and energy conservation. It is also to facilitate trade and thereby increase the economic wealth of Contracting Parties. The greater the number of Contracting Parties to legal instruments, the more harmonization of transport legislation is achieved and the more this goal is realised.

26. The performance indicator for this expected accomplishment is the number of new Contracting Parties to the main ECE legal instruments on transport. The ECE administers or oversees a total of 56 legal instruments dealing with transport which have been developed over the last 50 years. Some of these legal instruments may be considered out of date and a small number have not yet entered into force because they have not been ratified by the requisite number of countries. However, the vast majority are relevant to modern transport conditions and are kept so by constant improvement and amendment by ECE Working Parties and form the basis for national law in the fields that they cover, whether it be road safety, border crossing, transport of dangerous goods or regulations for the construction of motor vehicles.

27. Few of the legal instruments have mechanisms for verifying implementation. Some have reporting requirements but the majority do not. However, transport is a very visible activity and many aspects of implementation can be verified by even a cursory inspection of a vehicle or a road. For example, the display of the distinguishing sign on the rear of the vehicle, the type approval mark of different vehicle parts, or road signs or road markings. Others are subject to daily inspection by customs officials or police forces, for example driving permits, TIR carnets, tachographs for measuring professional drivers' working hours and rest periods, or CMR goods consignment notes used in international road transport.

28. Some of the legal instruments administered by UNECE are restricted to European members of UNECE, i.e. excluding the United States, Canada and Israel. These are generally referred to as European Agreements. For example the infrastructure agreements for the different modes of transport, the AGR, AGC, AGTC and AGN. Others are open to all members of UNECE, to other European non-ECE members and to other non-European UN members under certain conditions. Finally, there is a group open to all countries throughout the world, i.e. truly global conventions.

29. This accomplishment is achieved mainly through the promotion of legal instruments by the secretariat. Promotion of legal instruments by the secretariat may take various forms. In the ESCAP region, various initiatives have been started to promote the facilitation of cross-border transport and these have used the ECE Conventions and agreements as a basis. ECE staff members have participated in ESCAP meetings to provide information about the Conventions and Agreements. In addition, ESCAP has in the past adopted resolution 48/11, which recommends that its member countries adhere to a number of ECE legal instruments on transport. Another example was the treaty event for landlocked countries organized in New York last year at which the Transport Division explained to the countries present the benefits and obligations of being Parties to the legal instruments on transport.

30. One of the chief functions of the Regional Advisor on Transport is to promote ECE legal instruments on transport and staff members are routinely involved in explaining legal instruments, for example to delegations (e.g. China, Thailand) visiting the Transport Division.

31. During the period under consideration, there were 34 accessions or ratifications to legal instruments on transport, one less than the 35 predicted when the performance indicators were established. These include 4 accessions by Cyprus and 2 by Malta, 7 accessions by Albania which is making rapid progress to bring its transport systems up to the standards of its neighbours with the aim of joining the European Union at some future date, and 7 accessions by Liberia which took place shortly before presidential elections in that country.

32. This accomplishment will eventually diminish in future because, as countries accede to legal instruments, there are less for them to accede to.

D. Improved awareness of the role of transport, in particular transport infrastructure, in enhancing trade and development in ECE member countries in South-East Europe and Central Asia.

33. The goal which the accomplishment helps to achieve is awareness of the role of transport, in particular transport infrastructure, in enhancing trade and development in ECE member countries in South-East Europe and Central Asia.

34. The accomplishment was fulfilled by the inclusion of an item on the relationship between transport and economic development in the provisional agenda of the 17th session of the Working Party on Transport Trends and Economics (WP.5) (TRANS/WP.5/35) and by the addition of new meetings on developing Euro-Asian transport linkages organized jointly by UNECE and UNESCAP. In addition, an Advisory Workshop on UNECE legal instruments in the field of transport and on related infrastructure and border crossing developments in South-Eastern Europe was organized in Thessaloniki (Greece) on 19-20 December 2005 for the countries of South-East Europe, which are not yet members of the European Union (e.g. Albania,

Serbia and Montenegro, Bosnia and Herzegovina, etc.). The Advisory Workshop concentrated primarily on the importance of the UNECE infrastructure agreements (AGR, AGTC, AGC, AGN) and their contribution to trade and development.

35. This accomplishment takes place at the regional and interregional (global) level. Important work has taken place both in UNECE and UNESCAP on the development of transport infrastructure. Both regional commissions have legal instruments relating to transport infrastructures. The extension of this work is to identify linkages between the infrastructure networks in the two regions, the development of which can help trade and development of Asian and Central Asian countries, which are members of both regional commissions.

36. The end users concerned are governments, mainly ministries of transport and trade but also private companies trading between the two regions.

E. Further development of UN Recommendations on the Transport of Dangerous Goods and availability of the Globally Harmonized Systems of Classification and Labelling of Chemicals (GHS).

37. This accomplishment is intended to (i) increase the safety and security of the transport of dangerous goods while at the same time facilitating transport through harmonization at the world wide level of technical regulations applicable to all modes of transport; (ii) harmonize systems of classification and labelling of chemicals for all possible uses, including transport, occupational health and safety, environment and consumer safety.

38. The transport of dangerous goods requires the adoption of particularly stringent safety and security measures. These measures must be harmonized from one country to another and ensure a similar level of safety and security whatever the transport mode. The goal is to develop worldwide recommendations on the transport of dangerous goods by the various modes of transport, which are agreed upon by all interested countries and which are subsequently incorporated into national legislation for implementation by all UN Member States and international organizations concerned as well as by the various end users. The goal also includes the elaboration of commonly agreed worldwide regulations to improve the safety of the use of chemicals at work and protection of environment and consumers through hazard communication based on a globally harmonized system of classification and labelling of chemicals.

39. This accomplishment is achieved by the provision of secretariat support for the organization and servicing of and follow-up to meetings of the ECOSOC Committee of Experts on the Transport of Dangerous Goods and on the Globally Harmonized System of Classification and Labelling of Chemicals and its subsidiary bodies, where the development and updating of Model Regulations on the transport of dangerous goods and of a Globally Harmonized Systems of Classification and Labelling of Chemicals takes place.

40. This work has led to the publication of new revised versions of the UN Recommendations on TDG and of the GHS. It has also led to ECOSOC Resolution 2005/53, inviting Governments and relevant international organizations to implement them. In addition, it has resulted in the introduction by IMO, ICAO, UNECE and OTIF of these new recommendations on TDG into their respective legal instruments governing international transport of dangerous goods by sea, air, road, rail and inland waterways. Steps are also being taken by the European Union, USA, Canada, Australia, Brazil, China, Japan and South Africa to make these new provisions

applicable also to domestic traffic through national legislation. Implementation by ASEAN, MERCOSUR, Andean Community countries at regional level is under consideration. Since not all countries have the capacity to amend their national legislation at the same pace to bring it in line with international transport regulations, the Sub-Committee is considering how to overcome the problem of disharmony between national regulations and international regulations, which causes some problems of transport facilitation. ECOSOC requested the Sub-Committee to continue this work in 2006-2007, including the possibility of developing a Convention for international multimodal transport of dangerous goods.

41. For the GHS, the target implementation date recommended by WSSD in 2003 is the year 2008. Transport organizations have already taken steps to ensure harmonization of international transport of dangerous goods instruments with the GHS classification and labelling criteria by the year 2007. Nevertheless, harmonization of national law in other sectors (occupational health safety, consumer protection, environment) may take more time since the process of implementation will require lengthy legal procedures at national level. Nevertheless, several countries or regions (EU, New Zealand, Japan, Brazil, Canada) have indicated that they are committed to meet the target date, possibly with a transitional period for effective application.

42. The end users include UN Member States, mainly Ministries of Transport, Industry and Interior, who enact national legislation regarding transport of dangerous goods by the various modes of transport. With regard to GHS, end-users include Ministries of Health, Environment, Industry and Labour. However, end users may also be considered to be transport operators, the chemical industry, packaging industry, tank and transport vehicle industry and businesses using chemicals. Workers and consumers can also be considered to be end users of the GHS.

43. While Governments are the main actors in the process of elaborating and updating the UN Recommendations on the Transport of Dangerous Goods and the GHS, they can also be considered as intermediaries, particularly when end users are transport operators, the chemical industry, packaging industry, tank and transport vehicle industry and businesses using chemicals as well as workers and consumers. Other intermediaries include specialized agencies (IMO, ICAO), UN bodies (UNECE, ESCAP, UNEP) and intergovernmental organizations responsible for international/regional agreements concerning international transport of dangerous goods or wastes, and a large number of NGOs representing transport operators, the chemical/oil/gas/pharmaceutical/medical industry/packaging/tank/vehicle manufacturers, users and consumers.

44. National and regional symposia/seminars/workshops have been organized by Governments and industry and ILO/UNITAR to prepare the implementation of GHS (Brazil, China, EU, Malaysia, Nigeria, Philippines, South Africa, Canada, NAFTA, Baltic countries, Russian Federation, APEC, Australia, Gambia, Indonesia, Zambia, Senegal, Sri Lanka, Thailand, Uruguay) or are under preparation (ECOWAS and Slovenia for central and eastern Europe).

45. For transport of dangerous goods, there is excellent implementation in, and participation and feedback from, all major countries interested in international trade of dangerous goods. There is a lack of participation from developing countries although interest has increased due to action by ESCAP and ASEAN. The situation could be improved in developing countries if funds could be made available for their participation. GHS activities are new and, therefore, effective implementation is not expected before 2008. It is expected that most developed countries will implement the GHS in the very near future, but in the least developed countries and most

developing countries, the implementation will require technical cooperation/capacity-building activities. Again the implementation process in developing countries would be facilitated if funds could be made available for participation of representatives of such countries in GHS Sub-Committee's meetings.

AnnexREFERENCES TO LEGISLATIVE REVIEW
AND EXTERNAL AND INTERNAL EVALUATION

Legislative review: The delivery of the Transport Subprogramme was positively reviewed on a regular basis by the Inland Transport Committee (at its 66th session in 2004, ECE/TRANS/156; and at its 67th session in 2005, ECE/TRANS/162).

External evaluation: The Transport Subprogramme, among others, was evaluated in detail in "The State of the UNECE", an external evaluation report http://www.unece.org/commission/2005/UNECE_Evaluation_Report_2005.pdf. Member countries considered work related to Transport as being amongst highest priorities of UNECE activities.

Internal evaluation: As planned, detailed internal evaluations were carried out for two of the Subprogramme's elements, namely regarding work on the transport of dangerous goods and the construction of motor vehicles. The evaluation of the transport of dangerous goods covered the years 2002-2003 which is not relevant to the present document. The evaluation regarding regulations on the construction of motor vehicles covered the period 2002-2005. Copies may be obtained from the UNECE Transport Division.
