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ECONOMIC COMMISSION FOR EUROPE

Administrative Committee of the European Agreement
Concerning the International Carriage of Dangerous
Goods by Inland Waterways (ADN)
First session
Geneva, 19-20 June 2008

PROVISIONAL AGENDA FOR THE FIRST SESSION¹

Addendum²

I. EXPLANATORY NOTES AND ANNOTATIONS TO THE AGENDA

1. The European Agreement concerning the International Carriage of Dangerous Goods by Inland Waterways (ADN) of 26 May 2000 was adopted by a diplomatic conference held in Geneva from 22 to 26 May 2000 under the auspices of the United Nations Economic Commission for Europe (ECE) and the Central Commission for the Navigation of the Rhine (CCNR).
2. ADN entered into force on 29 February 2008. At the time of writing, the following are contracting parties: Austria, Bulgaria, France, Germany, Hungary, Luxembourg, Moldova, Netherlands and Russian Federation.

¹ This meeting is organized jointly by the Economic Commission for Europe and the Central Commission for the Navigation of the Rhine (CCNR).

² Distributed in German by CCNR under the symbol CCNR/ZKR/ADN/1/Add.1.

3. In article 17, paragraph 5, ADN stipulates that the Executive Secretary of ECE shall convene the Administrative Committee annually, or at other intervals decided on by the Committee, and also at the request of at least five contracting parties. Accordingly, and in keeping with the request of the ECE Inland Transport Committee (ECE/TRANS/192, para. 102), the Executive Secretary is convening this first session of the ADN Administrative Committee.

4. Pursuant to the provisions of article 17, paragraph 1, of ADN, the Committee's mandate shall be to consider the implementation of the Agreement, to consider any amendments proposed thereto and to consider measures to secure uniformity in the interpretation and application thereof.

5. Pursuant to the provisions of article 17, paragraph 2, the contracting parties shall be members of the Administrative Committee. This means, therefore, that only representatives of States which are contracting parties shall participate in sessions of the Committee. This paragraph also provides, however, that the Committee may decide that the States referred to in article 10, paragraph 1, of ADN which are not contracting parties, any other member State of ECE or of the United Nations or representatives of international intergovernmental or non-governmental organizations may, for questions which interest them, attend the sessions of the Committee as observers. Interested States and organizations wishing to attend are therefore requested to notify the ECE secretariat in good time, so that their request can be brought to the attention of the Committee.

6. Pursuant to the provisions of article 17, paragraph 3, secretariat services shall be provided by the Executive Secretary of ECE (on behalf of the Secretary-General of the United Nations) and the Secretary-General of CCNR.

7. The original text of ADN, as adopted on 26 May 2000, was issued by the ECE secretariat in English, French and Russian under the symbol ECE/TRANS/150 (vols. I and II). It is available in all three languages on the ECE website at the address www.unece.org/trans/danger/adn-agree.html and in German on request from CCNR (email: e.fessmann@ccr-zkr.org).

II. ANNOTATIONS TO THE AGENDA

Item 1. Adoption of the agenda

8. The Administrative Committee might wish to consider and adopt the agenda for the session drawn up by the secretariat and issued under the symbol ECE/ADN/1 and Add.1.

Item 2. Examination of credentials

9. Each contracting party to ADN is represented at the Committee's sessions by one accredited representative. In accordance with the mandate conferred on the Committee under articles 17, 19 and 20 of ADN, the contracting parties attending the session must transmit to the Executive Secretary of ECE the credentials of their representatives and, where appropriate, those of alternates. The credentials shall be issued by, or on behalf of, the head of State, head of Government, the Minister for Foreign Affairs or the minister concerned. The credentials should

preferably reach the Executive Secretary no later than Friday, 13 June 2008. It is recommended that representatives of the contracting parties and their alternates bring a copy of their credentials to the meeting.

Item 3. Election of officers

10. Pursuant to the provisions of article 17, paragraph 4, of ADN, the Administrative Committee shall, at the first session of the year, elect its chair and its vice-chair.

Item 4. Rules of procedure

11. The rules of procedure are referred to in article 17 of ADN, which stipulates in its paragraph 9 that, in the absence of relevant provisions in ADN, the rules of procedure of ECE shall be applicable unless the Administrative Committee decides otherwise. The rules of procedure of ECE are reproduced in document E/ECE/778/Rev.4 (available on the ECE website at the address: www.unece.org/oes/mandate/mandate.htm).

12. In article 17, paragraph 2, ADN provides that the Committee may decide that the States referred to in article 10, paragraph 1, of ADN which are not contracting parties, any other member State of ECE or of the United Nations or representatives of international intergovernmental or non-governmental organizations may, for questions which interest them, attend the sessions of the Committee as observers.

13. The ECE secretariat has received a request for such attendance from the Danube Commission. The Committee might wish to consider this request at its first session, together with any other requests which might be submitted by States which are not contracting parties of interested international organizations.

Item 5. Status of the European Agreement concerning the International Carriage of Dangerous Goods by Inland Waterways (ADN)

14. As indicated in paragraph 2 above, at the time of writing, nine States were contracting parties to ADN. ADN entered into force on 29 February 2008 and the annexed Regulations should enter into force, pursuant to the provisions of article 11, paragraph 1, on 28 February 2009 for all States which became contracting parties prior to 1 February 2009. For States which became contracting parties after that date, they will enter into force one month after the deposit of their instrument of ratification, acceptance, approval or accession, in accordance with article 11, paragraph 2.

Item 6. Updating of the Regulations annexed to ADN

15. The original version of the Regulations annexed to ADN, which are expected to enter into force on 28 February 2009, may be found in document ECE/TRANS/150.

16. As response to the invitation contained in paragraph 1 of the resolution adopted on 25 May 2000 by the Diplomatic Conference for the Adoption of a European Agreement concerning the International Carriage of Dangerous Goods by Inland Waterways (ADN), ECE and CCNR have established a joint meeting of experts with the following mandate:

“(a) before entry into force of the Agreement:

“(i) to prepare the updates of the annexed Regulations in order to enable the Administrative Committee, once the Agreement has entered into force, to adapt them to the evolution of transport techniques and to the ongoing restructuring of the other European regulations governing the carriage of dangerous goods and to bring them into line with the level of safety required for navigation on European waterways covered by AGN, particularly on the Rhine;

“(ii) to recommend regular implementation, at national level, of the updated provisions of the relevant annexes by all countries interested in becoming parties to the Agreement;

“(iii) to appoint, amongst Contracting States and Signatory States, provisional committees of experts in accordance with annex C, chapter 2, paragraph 2.2.2 of the annexed Regulations to consider on a preliminary basis requests from classification societies which wish to be recommended for recognition;

“(b) after entry into force of the Agreement:

“to take the place of the Safety Committee referred to in article 18.”

17. In paragraph 2 of that resolution, the Executive Secretary of ECE is requested to convene a meeting of the Administrative Committee as soon as possible after the entry into force of the Agreement with a view to:

“(a) adopting proposals for the revision of the annexed Regulations as prepared in accordance with paragraphs 1 (a) (i) and 1 (b) above so that the Regulations will be applicable on the date scheduled in article 11, paragraph 1;

“(b) adopting a list of recommended classification societies on the basis of the preliminary work carried out in accordance with paragraph 1 (a) (iii) above, or appointing new committees of experts in accordance with annex C, chapter 2, paragraph 2.2.2 to consider requests from classification societies which wish to be recommended for recognition.”

18. The Joint Meeting of Experts has held 12 sessions since that date and the reports of those sessions may be found in the following documents:

TRANS/WP.15/AC.2/2, TRANS/WP.15/AC.2/4 and Add.1 and Add.1/Corr.1,
TRANS/WP.15/AC.2/7, TRANS/WP.15/AC.2/9 and Add.1,
TRANS/WP.15/AC.2/13, TRANS/WP.15/AC.2/15 and Add.1,
TRANS/WP.15/AC.2/17 and Add.1 and Add.1/Corr.1,
TRANS/WP.15/AC.2/19 and Add.1, ECE/TRANS/WP.15/AC.2/21 and Adds. 1-2,
ECE/TRANS/WP.15/AC.2/23 and ECE/TRANS/WP.15/AC.2/25 (available on the ECE website at the address www.unece.org/trans/main/dgdb/ac.2/ac2rep.html).

19. The most recent and updated version of the annexed Regulations may be found in *ADN 2007*, issued in English, French and Russian under the symbol ECE/TRANS/190. It is available on the ECE website at the address: www.unece.org/trans/danger/adnreg2007.html, and is also available in German on request from CCNR (email: e.fessmann@ccr-zkr.org).

20. A corrigendum has been issued to the English, French and Russian versions (ECE/TRANS/190/Corr.1). Since that time, the Joint Meeting of Experts has adopted a number of draft amendments, issued under the symbol ECE/TRANS/WP.15/AC.2/26.

21. The Joint Meeting of Experts will be meeting again on 17 and 18 June 2008 (see the agenda in ECE/TRANS/WP.15/AC.2/27 and Add.1 and other relevant documents). The conclusions of the Joint Meeting of Experts and new proposed amendments will be brought to the attention of the Administrative Committee.

22. The Administrative Committee might therefore wish, as requested by the Diplomatic Conference, to consider these proposals to amend the annexed Regulations, with a view to introducing any such amendments before 28 February 2009, the date on which the Regulations enter into force, and to take into account any changes in the Regulations since 26 May 2000, so as to bring them into line with other comparable regulations governing road, rail, air and sea transport. In accordance with the amendment procedure under article 20 of ADN, any proposed amendments to the initial Regulations adopted by the Committee should be transmitted to the Secretary-General of the United Nations no later than 31 August 2008 (as provided in article 20, paragraph 5) or, to ensure consistency with other international agreements, 31 October 2008 (as provided in article 20, paragraph 5 (a)), so that they can enter into force on 28 February 2009.

Item 7. Matters relating to the recognition of classification societies

23. In accordance with paragraph 1 (a) (iii) of the resolution adopted by the Diplomatic Conference (see paragraph 16 above), provisional committees have been appointed to consider, on a preliminary basis, requests from classification societies which wish to be recommended for recognition. The discussions and conclusions of the Joint Meeting of Experts relating to the reports of these provisional committees may be found in the following reports:

TRANS/WP.15/AC.2/9, paras. 27-32;
TRANS/WP.15/AC.2/11, paras. 50-66;
TRANS/WP.15/AC.2/13, paras. 27-39;
TRANS/WP.15/AC.2/15, paras. 24-26;
TRANS/WP.15/AC.2/17, paras. 26-30;
TRANS/WP.15/AC.2/19, paras. 17-22;
ECE/TRANS/WP.15/AC.2//21, paras. 38-41;
ECE/TRANS/WP.15/AC.2/23, paras. 17-20;
ECE/TRANS/WP.15/AC.2/25, paras. 32-34.

24. The outcome is that the Joint Meeting of Experts has invited the Administrative Committee to recommend the following classification societies for recognition:

Bureau Veritas, Germanischer Lloyd, Lloyds Register, Russian River Register.

25. In its most recent report, the provisional committee also proposes that the **Russian Maritime Register of Shipping** should be recommended for recognition (see document ECE/TRANS/WP.15/AC.2/2008/14).

26. The Administrative Committee might wish to endorse the conclusions of the Joint Meeting of Experts regarding the recommendations for recognition of these classification societies.

Item 8. Programme of work and calendar of meetings

27. The next session of the Administrative Committee has provisionally been scheduled for the period from 28 (p.m.) to 30 January 2009 in Geneva.

Item 9. Any other business

28. No proposals have been received under this agenda item.

Item 10. Adoption of the report

29. It is expected that the Administrative Committee will adopt the report of its first session on the basis of a draft prepared by the secretariats, either at the end of the session or by correspondence afterwards.
