

## **Economic Commission for Europe**

### **Inland Transport Committee**

#### **Working Party on the Transport of Dangerous Goods**

**18 August 2011**

#### **Joint Meeting of the RID Committee of Experts and the Working Party on the Transport of Dangerous Goods**

Geneva, 13-23 September 2011

Item 9 of the provisional agenda

#### **Future work**

### **Programme of work - Outcome of the seventy-third session of the Inland Transport Committee**

#### **Note by the secretariat**

#### **Introduction**

The secretariat reproduces in Annex 1 the Chair's conclusions of the Round table on "Transport of dangerous goods: Global and regional dimensions", held as part of the seventy-third session of the Inland Transport Committee (see ECE/TRANS/221, Annex).

The secretariat reproduces in Annex 2 the discussion held at the last session of WP.15 in response to the issues raised by the participants in the round table (see ECE/TRANS/WP.15/210, paragraphs 64-73).

The Joint Meeting may wish to consider whether these conclusions should be taken into account in its own programme of work.

## Annex 1

### **Round table discussion on “Transport of dangerous goods: Global and regional dimensions” (1 March 2011)**

#### **Chair’s conclusions**

##### **Introduction**

1. The session consisted of presentations by high-level speakers from the Governments of France, Germany, Kazakhstan, Turkey and the United Kingdom, and by representatives of the European Commission, IMO, CCNR, CEFIC, IRU and UIC, followed by a panel discussion involving the speakers and moderated by the secretariat.
2. Discussions showed that transport of dangerous goods remains a subject of deep concern for the fifty-six countries of the UNECE. The mechanisms put in place by the United Nations for regulating the transport of dangerous goods by all modes of transport at global and regional levels are efficient and ensure a high level of safety when effectively implemented by Governments.
3. The UNECE plays a major role in this field, firstly by providing secretariat services to the United Nations Sub-Committee of Experts on the Transport of Dangerous Goods, and secondly by ensuring full implementation of these mechanisms through its own legal instruments, the ADR for road transport and, in cooperation with the CCNR, ADN for inland waterways, as well as the OTIF legal instrument RID for rail. Other organizations, notably IMO for sea transport and the International Civil Aviation Organization (ICAO) for air transport, also contribute to this successful worldwide implementation. As a consequence, a comprehensive and coherent system for regulating the transport of dangerous goods is available to all UNECE countries. If implemented correctly, this system offers a very high level of safety and security during transport and contributes significantly to facilitation of transport between countries that apply the system. This is the case in particular in the European Union, where the system applies not only to international transport but also to domestic transport, and is regularly kept up to date and fully harmonized thanks in particular to the work of WP.15, the RID/ADR/ADN Joint Meeting and the ADN Safety Committee and the RID Committee of Experts.
4. Nevertheless, the round table showed that there are still a number of shortcomings that should be looked into by the UNECE and cooperating organizations.

#### **I. Harmonization**

5. Governments recognize the necessity of multimodal harmonization but consider that harmonization has already been achieved for inland transport, in Europe, in countries which apply UNECE and OTIF legal instruments (RID, ADR and ADN). Nevertheless, there are still countries, parties to these legal instruments, which do not apply the same rules to domestic transport, or have obsolete national regulations. It is highly recommended that parties to RID, ADR and ADN, which have not yet done so, apply the same requirements to domestic transport of dangerous goods.
6. To facilitate Euro-Asian transport, harmonization of the Agreement on International Goods Transport by Rail (SMGS), annex II (applicable in Central and Eastern Europe and

Asia) with RID (applicable in Western and Central Europe, the Middle East and North Africa) would be highly desirable. WP.15, OTIF and OSJD may wish to consider joint procedures or activities, or to strengthen existing mechanisms to accelerate the updating of annex II of SMGS and resolve remaining differences between RID and SMGS, annex II as deemed appropriate.

7. Industry advocates further harmonization between land transport regulations and air or sea transport regulations, including, in the opinion of the IRU, abolishment of RID/ADR tank container provisions on exclusive use of United Nations portable tanks. On the other hand, representatives of Governments stressed that further harmonization between inland transport and maritime and air transport instruments should not jeopardize safety. Some air or sea transport requirements which are more stringent than those for inland transport are justified from the safety standpoint, while certain less stringent provisions for inland transport, which do not affect safety in a land transport context, are to the economic benefit of industry in Europe.

## **II. Accession to legal instruments/implementation/technical assistance**

8. The ADR now counts 47 Contracting Parties, including 45 UNECE countries out of 56, and two non-UNECE countries (Morocco and Tunisia). Some non-UNECE countries in the Middle East, Southern Asia and Latin America also apply some of its provisions to domestic transport. Although an increasing number of non-UNECE countries have expressed an interest in acceding to ADR, the technical regulations are complex and implementation requires the availability of expertise and properly organized administrative structures for the management of such regulations and their enforcement. The Government of Turkey, one of the most recent UNECE acceding countries, explained the difficulties it had faced in the accession/implementation process.

9. The WP.15 could consider the possibility of developing guidelines/recommendations for the establishment of appropriate administrative structures at national level for the proper implementation and enforcement of ADR, so as to facilitate accession and effective implementation by new countries.

10. The Committee or WP.15 may wish to establish a capacity-building strategy in order to coordinate or streamline the various technical cooperation activities that are currently undertaken bilaterally without much coherence. This could be done in cooperation with major donor organizations such as the European Union or NGOs such as the IRU with a view to progressively ensuring the adoption of ADR in UNECE countries which are not yet parties, but also in neighbouring countries in particular in Asia, Africa and the Middle East.

11. Technical assistance would be needed to help UNECE countries with economies in transition and neighbours of UNECE countries to put in place appropriate legislation and administrative structures to join international legal instruments and implement them properly.

## **III. Training**

12. Training, including training of competent authorities, is an important factor of safety and security, and more efforts should be made to ensure the availability of expertise in governmental administrations and the training of all participants in the chain of transport of dangerous goods.

13. All parties to RID, ADR and ADN and especially those which do not yet apply these instruments to domestic transport should be reminded of the importance of the functions of the Dangerous Goods Safety Adviser (DGSA) for improving safety and compliance with the regulations.

14. The attention of the United Nations Sub-Committee of Experts on the Transport of Dangerous Goods, IMO and ICAO should be drawn to the RID/ADR/ADN provisions requiring the involvement of Dangerous Goods Safety Advisers to ensure better compliance with regulations on the transport of dangerous goods and such requirements should be considered in other parts of the world and for maritime and air transport.

15. The WP.15 may wish to cooperate with IMO in order to clarify the training required by the International Maritime Dangerous Goods (IMDG) Code for drivers of road vehicles in port areas or in roll-on-roll-off (RORO) traffic who already possess an ADR driver training certificate.

#### **IV. Conclusion**

16. The Round Table provided a very useful opportunity for exchange of information on the global and regional dimensions of the transport of dangerous goods and suggestions for possible further developments and action for better effective harmonization and implementation.

17. It is recommended that relevant authorities of UNECE member States, the Committee itself, WP.15, the RID/ADR/ADN Joint Meeting, the ADN Safety Committee and cooperating organizations consider the outcome of these discussions and take action as deemed relevant and appropriate.

## Annex 2

### 1. Multimodal harmonization

65. The representative of Finland said that a study was under way to compare the Regulations concerning the International Transport of Dangerous Goods by Rail (RID) and Annex 2 of the Agreement on International Railway Freight Communications (SMGS). The study could serve as a basis for work aimed at harmonizing the two instruments.

66. Further to a proposal put forward by IRU during the round table, the representative of France said that it might be beneficial to study to what extent portable tanks were used in land transport, and whether their use could be generalized to replace RID/ADR tank-containers. The representative of IRU would forward information on that subject to the RID/ADR/ADN Joint Meeting.

67. The representative of Belgium said that work on that question could help clarify the legal status of tank-containers built in accordance with both systems.

### 2. Facilitating accession to ADR

68. The Working Party noted the need to adopt tools to facilitate accession to ADR by new countries and to coordinate the various technical assistance and regulatory activities related to accession.

69. In that connection the Working Party asked the secretariat to draft a road map on how to set up the administrative structures required for implementation of ADR. The road map could serve as a basis for the Working Party's development of recommendations and/or guidelines during the next biennium.

70. Delegations that wished to do so were invited to forward to the secretariat any information they considered useful on that subject.

### 3. Training in the transport of dangerous goods

71. The Working Party confirmed the needs for training and expertise in the transport of dangerous goods mentioned by some participants in the round table.

72. In the next biennium the Working Party might plan to extend the scope of training for which provision was made by ADR to include the competent authorities, in particular inspection authorities.

73. Within the RID/ADR/ADN Joint Meeting, cooperation might be initiated with other modal bodies in order to study whether it would be of interest to specify certain multimodal aspects in the training provisions contained in RID/ADR/ADN and to broaden the scope of some such provisions to other modes of transport, in particular for the training of safety advisers and persons involved in the transport of dangerous goods.