

Distr.: Restricted
7 October 2011

Original: English

Group of Experts for the revision of the IMO/ILO/UNECE Guidelines for Packing of Cargo Transport Units

First session

Geneva, 6–7 October 2011

Item 4 of the provisional agenda

Adoption of the terms of reference of the Group of Experts

Terms of reference of the Group of Experts

Note by the secretariat

The secretariat reproduces below the terms of reference prepared by the ILO, IMO and UNECE secretariats for consideration and adoption by the Group of Experts.

Terms of reference for the Group of Experts for the revision of the IMO/ILO/UNECE Guidelines for Packing of Cargo Transport Units (CTUs)

1. Historical background

The Maritime Safety Committee of IMO, at its sixty-seventh session (2 to 6 December 1996), approved the IMO/ILO/UNECE Guidelines for Packing of Cargo Transport Units (CTUs) which were prepared by the Working Group on Ship/Port Interface (SPI Working Group) in co-operation with the UNECE Working Party on Combined Transport (WP.24).

The Guidelines were subsequently endorsed by the Inland Transport Committee of the UNECE in January 1997 and by the Governing Body of the ILO at its 268th Session (March 1997).

In accordance with the Maritime Safety Committee's instruction the IMO Secretariat published the Guidelines by means of an MSC Circular (MSC/Circ.787) on 2 May 1997, in co-operation with the UNECE and ILO, after endorsement by these two organizations. This circular revoked MSC/Circ.383 (IMO/ILO Guidelines for Packing Cargo in Freight Containers or Vehicles), as amended by MSC/Circ.557 and Rev.1.

These Guidelines, which have been based on the existing IMO/ILO Guidelines for Packing Cargo in Freight Containers or Vehicles, are applicable to transport operations by all surface and water modes of transport and the whole intermodal transport chain.

Following inter-secretariat consultations of the ILO, IMO and UNECE, the three organizations have concluded that these Guidelines should be urgently revised and made available.

The Maritime Safety Committee of IMO at its 83rd session (3 to 12 October 2007) decided to review of the Guidelines for packing of cargo transport units within the framework of the Editorial and Technical (E and T) Group of the Sub-Committee on Dangerous Goods, Solid Cargoes and Containers (DSC), which covered basically the carriage of dangerous goods in the maritime mode.

At its meeting that took place at the Palais des Nations in Geneva on 19 and 20 March 2009, the UNECE Working Party on Intermodal Transport and Logistics (WP.24) acknowledged the need for the updating / revision of the IMO/ILO/UNECE Guidelines for packing cargo transport units and requested the UNECE secretariat to collaborate with the IMO and ILO in order to update / revise the said publication. In the respect, the UNECE secretariat held informal consultations with the ILO and IMO on the modality of this collaboration.

A tripartite Global Dialogue Forum on Safety in the Supply Chain in Relation to Packing of Containers that was held by the ILO in Geneva from 21 to 22 February 2011 unanimously adopted a set of points of consensus in relation to the subject matter, one of which refers to the revision of the IMO/ILO/UNECE Guidelines for packing cargo transport units (CTUs) and reads as follows: "It is agreed that an ILO/IMO/UNECE code of practice on the packing of CTUs is necessary. The three organizations are requested to proceed with the revision of the existing guidelines for packing of CTUs which would form the code of practice."

At its 310th Session (March 2011), the ILO Governing Body authorized the development of an IMO/ILO/UNECE code of practice through the revision of the IMO/ILO/UNECE Guidelines for packing of cargo transport units by a joint IMO/ILO/UNECE working group in consultation with the secretariats of the IMO and the United Nations Economic Commission for Europe (UNECE), and the participation of the ILO in the joint working group through one or more ILO officials, as well as one Government, one Worker and one Employer representative, nominated by the Government group and the secretariats of the Workers' and Employers' groups of the Governing Body, respectively.

The Maritime Safety Committee of IMO at its 89th session (11 to 20 May 2011) approved the draft amendments to the IMO/ILO/UNECE Guidelines for packing cargo transport units (CTUs) that had been made by the E and T Group of the Sub-Committee on Dangerous Goods, Solid Cargoes and Containers (DSC), and which covered only the part of the guidelines on dangerous goods, and requested the Secretariat to forward them to ILO and the UNECE for concurrent approval, as appropriate.

Summary of the mandates of the three organizations

A. ILO

A tripartite Global Dialogue Forum on Safety in the Supply Chain in Relation to Packing of Containers was held by the ILO in Geneva from 21 to 22 February 2011. Various sectors in the supply chain were represented, including shipping, ports, road transport, railways, shippers, freight forwarders and marine insurance.

Taking into consideration a background report prepared by the Office titled "Safety in the Supply Chain in Relation to Packing of Containers" that was published in 2010, the forum adopted a set of points of consensus in relation to the subject matter, one of which refers to the revision of the IMO/ILO/UNECE Guidelines for packing cargo transport units (CTUs) and reads as follows:

“It is agreed that an ILO/IMO/UNECE code of practice on the packing of CTUs is necessary. The three organizations are requested to proceed with the revision of the existing guidelines for packing of CTUs which would form the code of practice.”

At its 310th Session (March 2011), the ILO Governing Body authorized the development of an IMO/ILO/UNECE code of practice through the revision of the IMO/ILO/UNECE Guidelines for packing of cargo transport units by a joint working group in consultation with the secretariats of the IMO and the United Nations Economic Commission for Europe (UNECE), and the participation of the ILO in the joint working group through one or more ILO officials, as well as one Government, one Worker and one Employer representative, nominated by the Government group and the secretariats of the Workers’ and Employers’ groups of the Governing Body, respectively.

B. IMO

Two meetings were held at IMO Headquarters between the representatives from the secretariats of ILO and IMO. At the first meeting on 29 September 2010, the two secretariats agreed upon the follow-up actions for the finalization of the revision work on the Guidelines at the earliest possible opportunity. At the second meeting on 28 February 2011 following the tripartite Global Dialogue Forum on Safety in the Supply Chain in Relation to Packing of Containers, discussion was held regarding the current status of the on-going revision on the Guidelines.

Having had an in-depth discussion regarding the change of status of the Guidelines to a Code, as referred to in the points of conclusions of the Global Dialogue Forum on Safety in the Supply Chain in Relation to Packing of Containers, which reached consensus that the Guidelines should be transformed into a non-mandatory Code of Safe Practice, it was agreed that the practical way to proceed on the matter is to have a proposal submitted to MSC 89. Accordingly, ILO submitted a proposal to MSC 89, which the Committee had endorsed and instructed DSC 16 to contribute to the development of the new Code.

During a telephone conference that was held on 6 April 2011 with the participation from members of staff from the three co-sponsoring organizations, IMO gave an account on the current status of the on-going revision of the guidelines, informing that IMO’s work was at its final stage, awaiting the approval by MSC 89 (11-20 May 2011) and in order to collaborate with the two other co-sponsoring organizations (ILO and UNECE), IMO has extended the target completion year for this output to 2013.

C. UNECE

At its fifty-first session in March 2009, the UNECE Working Party on Intermodal Transport and Logistics (WP.24) was informed by the representative of ILO that his organization as well as IMO had decided to review and update the guidelines that were used extensively by the transport industry to secure cargo in containers and other intermodal loading units. The Working Party agreed to contribute to the review and update of the guidelines and requested the UNECE secretariat to coordinate with ILO and IMO in this respect.

Following consultations with the ILO and IMO secretariats, the UNECE secretariat prepared in March 2010 a note for consideration by the IMO Maritime Safety Committee at its eighty-seventh session (London, 12–21 May 2010). In this note, the secretariat pointed out that, in addition to aligning the guidelines to applicable rules and regulations for the transport of dangerous goods in maritime transport, other sections of the guidelines pertaining to stowage of “normal” cargo as well as the specific stowage requirements for inland transport (road, rail and inland waterways) would also need to be reviewed.

At its fifty-third session in October 2010, the UNECE Working Party approved the activities of the secretariat, including the proposed establishment of a group of experts or similar arrangements. It also felt that a holistic approach in the revision and update of the guidelines should be followed, in close cooperation with concerned industry groups, taking account of the requirements of all modes of transport, port handling and transshipment operations that are part of modern door-to-door transport systems.

Subject to available resources, the secretariat was invited to participate in such undertakings and to keep the Working Party informed accordingly.

2. Objectives of the Group of Experts

The Group of Experts will be tasked to prepare and recommend for endorsement to the IMO, ILO and UNECE a draft revised version of the IMO/ILO/UNECE Guidelines for packing cargo transport units (CTUs), which would reflect the latest information, best practices and requirements on the subject. It will be asked to take into account the draft amendments to a part of the Guidelines, which concerns dangerous goods prepared by the IMO. The group will adopt the draft revised version of the Guidelines by consensus.

3. Composition of the Group of Experts

The Group of Experts would comprise members to be nominated or invited by the ILO, the UNECE and IMO secretariats, as follows:

- The ILO will be represented in the Group of Experts by representatives of its constituents as well as by ILO officials;
- The UNECE will be represented in the Group of Experts by representatives of UN Member States, concerned IGOs and NGOs as well as by the UNECE secretariat;
- Representatives from the IMO secretariat will be available to provide necessary support

(Note: as the work of the Group of Experts would be adopted by consensus, any imbalances in the number of representatives of the three organizations would not be important)

The work of the group would be supported by a consultant. The consultant will be assigned with the task to prepare the various draft versions of the revised Guidelines, taking into account the guidance and inputs to be provided by the members of the Group and on the basis of his / her knowledge and findings of his / her own research.

4. Responsibilities and obligations of ILO, IMO and UNECE

- The UNECE will provide appropriate conference facilities for the group at the Palais des Nations in Geneva and will be responsible for the coordination, administration and organization of these meetings. It will also invite its experts to participate in this work. Through its own internal procedures and in line with the mandate provided (ECE/TRANS/WP.24/127, paras. 56-60), the UNECE Working Party on Intermodal Transport and Logistics (WP.24) will consider and possibly endorse the revised version of the Guidelines (as proposed by the Group of Experts) to be published by the IMO and inform the ILO and the IMO accordingly.
- The ILO (in consultation with the secretariats of IMO and UNECE) will prepare the terms of reference, select, appoint and cover the costs of the consultant that will support the work of the Group of Experts. In addition, the ILO will cover the costs of any specialized services that might be required in relation to the design of

the guidelines (refer to item 5. here below). It will also nominate its representatives at the Group of Experts. Through its own internal procedures, the ILO will endorse the revised version of the Guidelines (as proposed by the Group of Experts) to be published by the IMO and inform the UNECE and the IMO accordingly.

- The IMO secretariat will send its representative(s) to the meeting of the Group of Experts. Through its own internal procedures, the IMO will consider and as appropriate, endorse the revised version of the Guidelines (as proposed by the Group of Experts) and inform the ILO and the UNECE accordingly. Following the endorsement of the said Guidelines by the ILO, the UNECE and its own organs, the IMO will be responsible for the timely publication of the English version of the said Guidelines.

5. Specialized services

For the preparation of revised version of the Guidelines, certain type of specialized services might be required (e.g. for the preparation of various graphics, figures, diagrammes, the design/layout of the updated publication etc.). Such services might be assigned to the consultant referred to above, who would be responsible to identify and recommend to the group the appropriate service provider(s). The consultant would be required to collaborate with such a service provider(s) during the process of the planning and preparations of the revised version of the Guidelines.

6. Costs of the participation of the nominated members of the Group of Experts in the meetings of the Group of Experts

The secretariats of each one of the collaborating organizations (IMO, ILO, and UNECE) would make their own arrangements regarding the cost of participation of their representatives at the meetings of the Group of Experts.

7. Working language

The working language of the group would be English. No interpretation during the meetings or translation of documents into other languages would be provided.

8. Meetings of the Group of Experts

The group is expected to meet every four months, or as it would be dictated by the progress of its work. Assuming that the group would be established during the second half of 2011, it is envisaged that the group would meet one time in 2011, three times in 2012 (i.e. in total four times).