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INLAND TRANSPORT COMMITTEE

Working Party on Combined Transport

**REPORT OF THE WORKING PARTY ON COMBINED TRANSPORT
ON ITS THIRTY-SECOND SESSION
(6-8 September 1999)**

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REPORT

ATTENDANCE

1. The Working Party held its thirty-second session from 6 to 8 September 1999 under the chairmanship of Mr. H. Maillard (Belgium).
2. The session was attended by representatives from the following countries: Austria; Belgium; Bulgaria; Czech Republic; France; Germany; Hungary; Netherlands; Poland; Romania; Russian Federation; Slovakia; Switzerland; Turkey; United Kingdom. A representative of the European Community (EC) was also present.
3. The United Nations Conference on Trade and Development (UNCTAD) was represented.
4. The following intergovernmental organizations were represented: Committee of the Organization for Cooperation between Railways (OSZhD); European Conference of Ministers of Transport (ECMT).
5. The following non-governmental organizations were represented: International Container Bureau (ICB); European Intermodal Association (EIA); International Union of Railways (UIC); International Union of Combined Road/Rail Transport Companies (UIRR); International Road Transport Union (IRU). At the invitation of the secretariat a representative of the "Groupement Européen du Transport Combiné" (GETC) also participated at the session.

ADOPTION OF THE AGENDA

Documentation: TRANS/WP.24/84.

6. The Working Party adopted the provisional agenda prepared by the ECE secretariat (TRANS/WP.24/84).

ADOPTION OF THE DECISIONS TAKEN AT THE THIRTY-FIRST SESSION

Documentation: TRANS/WP.24/83 and Corr. 1 (French only).

7. In accordance with its decision, the Working Party formally adopted the decisions taken at its thirty-first session on the basis of a draft prepared by the secretariat in consultation with the Chairman. The adopted report is contained in document TRANS/WP.24/84 and Corr.1.

ACTIVITIES OF ECE BODIES AND OTHER ORGANIZATIONS OF INTEREST TO THE WORKING PARTY

(a) Subsidiary bodies of the Inland Transport Committee

Documentation: TRANS/SC.3/AC.5/1999/21/Rev.1.

8. The Working Party was informed of the activities of the Working Parties on Rail Transport (SC.2), the Working Party on Customs Questions affecting Transport (WP.30) and the Working Party on Inland Water Transport (SC.3). It noted in particular that the preparation of a Convention on the Contract for the Carriage of Goods by Inland Waterways (CMNI) had been finalized, subject to some linguistic modifications (TRANS/SC.3/AC.5/1999/21/Rev.1) and that the Convention was expected to be signed at a Diplomatic Conference to be held at Budapest from 20 February to 1 March 2000.

9. Detailed information on the activities of the ECE and its subsidiary bodies, including the Working Party on Combined Transport, is available on the ECE web site (www.unece.org/trans).

(b) European Commission (EC)

10. The Working Party took note of the latest activities of the EC in the field of combined transport, particularly with regard to Council Directive 92/106/EEC on the establishment of common rules for certain types of combined transport of goods and Council Directive 96/53 on authorized weight in combined transport operations, on the continuation of the PACT programme and on research activities covering sustainable transport and intermodality.

(c) European Conference of Ministers of Transport (ECMT)

11. The Working Party was informed about the current activities of the ECMT Combined Transport Group relating to short sea shipping as an alternative to inland transport in Europe. A report on its potential was being prepared for consideration and approval at the forthcoming ECMT Council meeting at Prague in May 2000.

(d) Other organizations

12. The representatives of OSZhD, EIA, ICB, UIC, UIRR and GETC informed the Working Party of recent activities of their organizations in the field of combined transport.

FOLLOW-UP TO THE 1997 REGIONAL CONFERENCE ON TRANSPORT AND THE ENVIRONMENT

Documentation: JMTE/1999/6; ECE/RCTE/CONF./3/FINAL; TRANS/WP.24/R.85/Rev.1; TRANS/WP.24/R.80/Rev.1.

13. The Working Party recalled the outcome of the Regional Conference on Transport and the Environment held in Vienna from 12 to 14 November 1997 and, in particular, the adopted Programme of Joint Action (ECE/RCTE/CONF./3/FINAL). The Working Party also recalled that it had prepared two background documents for the Conference on the promotion of combined transport to foster a sustainable transport policy in Europe (TRANS/WP.24/R.85/Rev.1; TRANS/WP.24/R.80/Rev.1).

14. The Working Party was informed of the results of the second Joint Meeting on Transport and the Environment which had been held on 6 July 1999 in Geneva (JMTE/1999/6) as part of the follow-up process to the Conference.

15. The Joint Meeting, composed of the Bureaux of the ECE Inland Transport Committee and the ECE Committee on Environmental Policy as well as of the Lead Actors implementing the Programme of Joint Action, reviewed national and international activities in the field of transport and the environment, but was unfortunately not yet in a position to provide strategic guidance on the main priority areas to be tackled during the implementation of the Programme of Joint Action.

16. The Joint Meeting concurred with the request made to the UN/ECE secretariat by the World Health Organization (WHO) Ministerial Conference on Environment and Health (London, 16-18 June 1999) to establish an inventory of environmental provisions in the existing legal instruments administered by the UN/ECE. It also decided to organize a meeting of national focal points, lead actors and other experts in January 2000 to identify *inter alia* key priorities in the Programme of Joint Action, based on long-term regional objectives and technical and scientific developments.

EUROPEAN AGREEMENT ON IMPORTANT INTERNATIONAL COMBINED TRANSPORT LINES AND RELATED INSTALLATIONS (AGTC)

(a) Status of the AGTC Agreement

Documentation: ECE/TRANS/88/Rev.1 and Corr.1 (www.unece.org).

17. The Working Party noted that, as of 4 November 1999, the following 23 countries would be Contracting Parties to the AGTC: Austria; Belarus; Belgium; Bulgaria; Croatia; Czech Republic; Denmark; France; Georgia; Germany; Greece; Hungary; Italy; Luxembourg; Netherlands; Norway; Portugal; Romania; Russian Federation; Slovakia; Slovenia, Switzerland and Turkey.

18. In view of the importance of the Agreement for efficient international combined transport in Europe, the Working Party urged once more the Governments of Finland, Poland, the Republic of Moldova and the Ukraine to consider becoming Contracting Parties to the AGTC Agreement as soon as possible.

19. The Working Party noted that the secretariat had issued the revised text of the AGTC Agreement in document ECE/TRANS/88/Rev.1. A few typing errors will be corrected through a Corrigendum to this document to be issued in due course (Corr.1).

(b) Amendments proposed to the AGTC Agreement

Documentation: TRANS/WP.24/84, annex 1.

20. The Working Party took note of a package of amendment proposals as contained in annex 1 to the provisional agenda of its session (TRANS/WP.24/84) transmitted by the Governments of Hungary and Romania.

21. In this context, the Working Party noted that, in accordance with paragraph 2 of articles 14, 15 and 16 of the AGTC Agreement, any amendment proposed by a Contracting Party to the Agreement should be considered by the ECE Working Party on Combined Transport. If, in accordance with paragraph 3 of articles 14, 15 and 16 of the AGTC Agreement, the amendment(s) is (are) adopted by the Contracting Parties present and voting, the secretariat would transmit the amendment proposal(s) to the Secretary-General of the United Nations in his capacity as depositary of the Agreement.

22. In order to formally notify the depositary of any amendment proposal adopted by the Working Party, it is necessary for countries to be Contracting Parties to the Agreement. At its nineteenth session, the Working Party had felt that, in case such amendments referred to annexes I and II to the Agreement, countries concerned, as defined in article 15, paragraph 3 of the Agreement, should be consulted on an informal basis by the Contracting Parties proposing such amendments before any such amendment proposals were transmitted to the Secretary-General of the United Nations. The ECE secretariat had been requested to provide all necessary assistance to facilitate such consultation (TRANS/WP.24/95, para. 53).

23. In accordance with article 15 of the AGTC Agreement, the Contracting Parties present (Austria; Bulgaria; Czech Republic; France; Germany; Hungary; Italy; Netherlands; Romania; Russian Federation; Slovakia; Switzerland and Turkey) adopted the amendments to Annexes I and II to the AGTC Agreement as contained in annex 1 to this report, on the understanding that all countries directly concerned, as defined in article 15, paragraph 3 of the Agreement, had been consulted and had agreed to these amendments.

**PROTOCOL ON COMBINED TRANSPORT ON INLAND WATERWAYS TO THE
EUROPEAN AGREEMENT ON IMPORTANT INTERNATIONAL COMBINED TRANSPORT
LINES AND RELATED INSTALLATIONS (AGTC)**

Documentation: ECE/TRANS/122 and Corr.1 and 2.

24. The Working Party recalled that on the occasion of the Regional Conference on Transport and the Environment (Vienna, 12-14 November 1997), the Protocol has been signed by the following 12 ECE member countries: Austria, Czech Republic, Denmark, France, Germany, Greece, Hungary, Italy, Netherlands, Portugal, Romania and Switzerland. Subsequently the Protocol has been signed by Bulgaria and Slovakia.

25. As of 1 September 1999, the Protocol has the following five Contracting Parties: Bulgaria; Czech Republic, Denmark, Romania and Switzerland. It will come into force following ratification by at least five States that are linked, in a continuous manner, by the waterways identified in the Protocol.

26. Amendment proposals submitted to the Working Party at its twenty-ninth session by France, Hungary and Romania (Informal document No. 1 (1998); TRANS/WP.24/79, para. 20) as well as amendment proposals transmitted by the Government of Bulgaria to the secretariat will be considered by the Working Party as soon as the Protocol enters into force.

27. The final text of the Protocol to the AGTC Agreement (in English, French and Russian) is contained in document ECE/TRANS/122 and Corr.1 (F) and Corr.2 (R).

INVENTORY OF EXISTING AGTC STANDARDS AND PARAMETERS

Documentation: TRANS/WP.24/1998/2; "Yellow Book" and Addendum.

28. The Working Party recalled that, at its twenty-ninth session, it approved a standard questionnaire (TRANS/WP.24/1998/2) and requested the secretariat to add to each of the pre-filled country questionnaires the new lines and related installations that are part of the amendment proposals adopted at the twenty-fifth session of the Working Party. Relevant parameters of the European Agreement on Main International Railway Lines (AGC) and AGC lines, not part of the AGTC network, should also be added in consultation with the secretariat of the ECE Working Party on Rail Transport, to arrive at one consolidated questionnaire covering both the AGTC and the AGC Agreements (TRANS/WP.24/79, para. 23).

29. The Working Party noted that on 28 May 1999 the secretariat transmitted the pre-filled questionnaires to delegations represented in the Working Party covering all Contracting Parties of the AGTC Agreement with a deadline for completion and return by 1 September 1999.

30. The secretariat has received so far replies from 12 Contracting Parties. The Working Party requested those Contracting Parties that had not yet transmitted the completed questionnaire to the secretariat to do so as soon as possible.

31. In this context, the Working Party also requested the secretariat to issue a new map of the AGTC network which would allow for easy updating and modification.

POSSIBILITIES FOR RECONCILIATION AND HARMONIZATION OF CIVIL LIABILITY REGIMES GOVERNING COMBINED TRANSPORT

Documentation: TRANS/WP.24/1999/1; TRANS/WP.24/1999/2; Informal document prepared by the European Commission.

32. The Working Party recalled that its programme of work contained as a priority item, the “analysis of possibilities for reconciliation and harmonization of civil liability regimes governing combined transport operations”. Following an informal meeting of interested experts (Frankfurt, 7 and 8 December 1998) which considered the feasibility and the approach to be taken to resolve possible difficulties arising from differences in modal liability regimes and/or gaps in full coverage during combined transport operations (TRANS/WP.24/1999/1), the Inland Transport Committee had requested that further investigations should be made in order to ascertain the existing difficulties for combined transport operations (ECE/TRANS/128, para. 86).

33. The Working Party took note of a study commissioned by the European Commission highlighting problems associated with the lack of a coherent liability regime for multimodal transport operations.

34. At the request of the Working Party, the secretariat convened another informal meeting of experts (Geneva, 12 and 13 July 1999) to consider in depth the conclusions of the first expert group meeting and to provide guidance to the Inland Transport Committee on its deliberations relating to the preparation of legal instruments in this field and on the arrangements and procedures necessary in order to finalize such an instrument within a reasonable time frame.

35. The Working Party endorsed in principle the results of this second expert meeting, as contained in document TRANS/WP.24/1999/2. It felt however that the detailed features of a possible new international legal instrument, such as its scope (all modes of transport or only inland modes) or its regime (mandatory or default (with an opting-out clause)) should be determined at a later stage. Apart from substantive and legal reasons, the features of any new legal instrument depended also on the political chances of acceptability of such a regime by ECE member States. The views of the multimodal or combined transport clients and operators as well as those of insurance companies were of utmost importance in this respect and should be heard during the preparation of a possible legal instrument.

36. The Working Party welcomed the continuing work of a small group of experts in drafting an outline of a possible international Convention on the Liability of Operators in Multimodal Transport, also with a view to identifying specific problems that would need to be addressed in the establishment of such a Convention. The Working Party also stressed that close cooperation should be established between the various organizations working in this field in Europe, particularly with the European Commission and UNCTAD.

37. Finally, the Working Party felt that recent developments, such as the United States draft "Carriage of Goods by Sea Act" (COGSA), seemed to indicate that pan-European activities in the field of liability issues in multimodal transport needed to be addressed with urgency.

THE ROLE OF RAILWAYS IN THE PROMOTION OF COMBINED TRANSPORT

Documentation: TRANS/WP.30/83.

38. The Working Party continued its exchange of views on the contribution of railways, acting increasingly as commercial enterprises, in the promotion of competitive combined transport services. It noted that combined transport has stagnated in 1998 in many countries in Europe whereas overall freight transport continued to increase. The Working Party expressed its concern about this development which ran counter to the aspirations of most ECE member countries as has been expressed in numerous political declarations and agreements.

39. The Working Party was of the view that the reason for this decline of combined transport was, particularly on the international markets, a result of unsatisfactory service quality, particularly unreliability and delays, on the part of railway operators and, in second place, a result of uncompetitive prices. Studies showed that there were increasing delays, particularly at border stations due to poor management of international rail services and insufficient cooperation between the various rail transport operators which often failed to announce delays in due time, thus making it very difficult for the neighbouring rail operator to ensure continued through services.

40. While road transport operators were apparently in a position to respond to the ever increasing service demands of shippers concerning reliability, punctuality and availability, combined transport in many countries has lost market shares as a result of the decreasing quality of the railway leg.

41. The Working Party felt that the non-availability of locomotives, technically able and allowed to operate on other networks, coupled with the lack of training for foreign locomotive drivers to operate on other rail networks, added considerably to delays at borders in several European countries. This is of particular concern in an increasing number of Western European countries, since administrative procedures for the goods transported are no longer required at border crossings. Contrary to road transport vehicles, European-wide type approval for locomotives and wagons does not exist; thus interoperability of rolling and tractive rail stock virtually does not exist for combined transport operations.

The establishment of a pool of locomotives that could be used on a regional or sub-regional scale on several networks, which would also facilitate the entry of new operators into the rail transport market, has not been achieved yet either.

42. The Working Party was of the view that rail operators should increasingly use imagination to employ intelligently new technologies and management techniques, not only in separating goods and passenger trains, but, to cope in general with the increasing demands for transport quality.

43. Governments should consider whether the present structure of international bodies dealing with rail transport might need to be reviewed, particularly in light of the current structural changes in railway transport, such as the separation of infrastructure from operation and the possibilities for entry of new rail transport operators. These changes might require different ways and means of international cooperation among rail networks and rail operators and might need to be aligned to those existing for road transport. Within the UN/ECE Inland Transport Committee, for example, the number of subsidiary bodies and the intensity and type of work governing rail and road transport is very different. This holds true also for the number and the types of international agreements and conventions covering rail and road transport.

44. Further to its request made at its thirty-first session (TRANS/WP.24/83, para. 40), the Working Party invited the Working Party on Rail Transport to analyse these issues and to consider appropriate solutions to be addressed within and outside the ECE framework.

NEW DEVELOPMENTS IN THE FIELD OF COMBINED TRANSPORT IN ECE MEMBER COUNTRIES

45. The Working Party was informed by the representative of the Netherlands of the results of the research project on the possibilities for a modal shift towards rail, inland water and short sea transport which had shown considerable potential for high-value goods, smaller goods flows and for combined transport over short distances. The representative of the Russian Federation informed the Working Party about the preparation of federal legislation covering rail and combined transport with the assistance of the TACIS programme.

PROGRAMME OF WORK FOR 2000 TO 2004

Documentation: TRANS/WP.24/84, annex 2.

46. The Working Party considered its programme of work for 2000 to 2004 taking due account of the present resource constraints of the ECE secretariat in this field and adopted it as contained in annex 2 to this report for approval by the Inland Transport Committee.

OTHER BUSINESS

Date of next session

47. The Working Party decide to convene its thirty-third session on 10 and 11 April 2000.

ADOPTION OF THE REPORT

48. The Working Party adopted the report on its thirty-second session.
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Annex 1

**EUROPEAN AGREEMENT ON IMPORTANT INTERNATIONAL COMBINED
TRANSPORT LINES AND RELATED INSTALLATIONS
(AGTC Agreement)**

Amendment proposals

**adopted by the Working Party on Combined Transport
at its thirty-second session
on 8 September 1999**

Countries directly concerned, in accordance with article 51, paragraph 3 of the AGTC Agreement, are marked with an asterisk^{*/} if these countries are Contracting Parties to the Agreement as of 1 July 1999.

Proposed by Hungary

AGTC Annex I

Add the following railway lines

"C 54/1 (Episcopia Bihor-) Biharkeresztes-Berettyóújfalú-Püspökladány

C-E 691 Murakeresztúr-Gyékényes"

Replace in railway line C-E 71 the town "Murakeresztúr" by: Dombóvár",

Countries directly concerned: Hungary^{*/}, Romania^{*/}

Proposed by Romania

AGTC Annex I

Add the following railway line

"C 54/1 Pascani-Suceava-Salva Dej-Cluj Napoca-Oradea-Episcopia Bihor
(-Biharkeresztes)"

Countries directly concerned: Hungary^{*/}, Romania^{*/}

AGTC Annex II

Add the following border crossing point:

"Episcopia Bihor (CFR) - Biharkeresztes (MAV)"

Countries directly concerned: Hungary^{*/}, Romania^{*/}

Proposed by Romania

AGTC Annex I

Add the following railway line

"C-E 95 (Iași-) Ungheni-Chișinău-Bendery-Novosavytske (-Kuchurgan)"

Countries directly concerned: Republic of Moldova, Romania^{*/}, Ukraine

AGTC Annex II

Add the following border crossing points:

"Ungheni (CFM) - Iași (CFR)
Novosavytske (CFM) - Kuchurgan (UZ)"

Countries directly concerned: Bulgaria^{*/}, Republic of Moldova, Romania^{*/}, Ukraine

Annex 2

DRAFT PROGRAMME OF WORK FOR 2000 TO 2004 *

PROGRAMME ACTIVITY 02.9: COMBINED TRANSPORT

Promotion of combined and multimodal transport

Priority: 1

Description: Consideration of legal, administrative, documentary, technical, economic and environmental aspects of combined and multimodal transport with a view to the development of measures to promote combined and multimodal transport as well as the maximum utilization of equipment, infrastructure and terminals used for such transport.

Work to be undertaken: The Working Party on Combined Transport will pursue the following activities:

CONTINUING ACTIVITIES

- (a) Review and updating of the European Agreement on Important International Combined Transport Lines and Related Installations (AGTC) with a view to:
- Extending the AGTC network to all ECE member countries concerned taking account of the work already undertaken by ESCAP and the OSZhd;
 - Taking into account new developments in transport markets (demands and requirements), including new east-west traffic flows;
 - Implementing and, whenever feasible, improving existing standards and operational parameters;
 - Raising environmental, energy and safety standards.

Priority: 1

* Text in **bold** characters indicates newly proposed text; text in square brackets [...] refers to text proposed for deletion.

Output expected in 2001:

Adoption of an extended AGTC network covering all ECE member countries in Central Asia and the Caucasus.

Inclusion into the AGTC Agreement of new East-West combined transport lines.

Analysis of existing standards and operational parameters to be published by the ECE secretariat in an updated Yellow Book.

(a) bis Monitoring of the efficiency of various modes of transport of relevance for combined transport operations.

Output expected in 2001:

Review of the efficiency of various modes of transport of relevance for combined transport in the sessions of the Working Party and cooperation with other relevant subsidiary bodies of the Inland Transport Committee.

- (b) Analysis of data requirements for transshipment and handling requirements, of marking, coding and identification systems for means of transport and loading units in combined transport, including the promotion of electronic data processing, with a view to improving the flow of information among the various operators and to allow for a better integration of production and distribution systems (logistics) using combined transport techniques.

Priority: 2

Output expected in 2001:

Review and analysis of standardized data systems for combined transport operations with a view to possibly preparing international recommendations on this subject.

- (c) Monitoring of weights and dimensions of loading units used in combined transport in accordance with resolution No. 241 adopted by the Inland Transport Committee on 5 February 1993. This includes consideration of possibilities for standardization of loading units and the compliance with safety regulations.

Priority: 1

Output expected in 2001:

Review of the issues based on **one annual report** to be prepared by the ECE secretariat on latest developments in this field.

- (d) Monitoring of technical and organizational measures to optimize terminal and transshipment procedures allowing for more cost-effective handling procedures of loading units. Priority: 2

Output expected in 2001:

Report to be prepared on the basis of information provided by ECE member Governments and international organizations.

- (e) Analysis of economic and environmental aspects of combined transport, including administrative measures and activities of the transport industry, with a view to promoting sustainable transport development. Priority: 1

Output expected in 2001:

Follow-up to the 1997 Regional Conference on Transport and the Environment (Vienna, 12 to 14 November 1998) on the basis of the Programme of Joint Action adopted at the Conference, to be determined in accordance with the decisions taken by the Joint Meeting on Transport and the Environment (JMTE/1998/4) and inter-secretariat consultations [to be held before the end of 1998].

- (f) Monitoring by the secretariat on behalf of the Working Party of the following subjects for consideration by the Working Party upon specific request only:
- Harmonization of combined transport terminology in order to contribute to a single international glossary of terms used in this field;
 - Combined transport techniques and operations (including inland waterways and coastal shipping techniques) as a basis for a possible international compendium of measures for the safe handling and temporary storage of dangerous goods;
 - National approval procedures for containers and swap-bodies in the framework of relevant conventions, such as the CSC Convention, with a view to better harmonizing such procedures;
 - New services and technologies in combined and intermodal transport, including sea/inland waterways and sea/land interfaces, and the use of bimodal road/rail vehicles with a view to be able to analyse the potential of combined transport.

Priority: 2

Output expected in 2000:

Publication of the international glossary on combined transport in cooperation with the ECMT and the European Commission.

[Two annual reports to be prepared by the ECE secretariat on safe handling and temporary storage of dangerous goods in combined transport, national approval procedures under the CSC Convention and on new services and technologies in combined transport].

ACTIVITIES OF A LIMITED DURATION

- (a) Analysis of possibilities for reconciliation and harmonization of [civil] liability regimes governing combined transport operations.

Priority: 1

Output expected in 2000:

Preparation of an analysis on the reconciliation and harmonization of the existing [civil] liability regimes **and establishment of an outline of a possible convention in this field.**

- (b) Analysis of the consequences on the organization of combined transport in Europe resulting from the development of combined transport services on interregional rail links between Europe and Asia. This includes the organization of an inter-regional meeting harmonizing the legal and administrative work carried out by relevant international organizations in Europe and Asia (e.g. ESCAP, UNCTAD, EC, OSZhD).

Priority: 2

Output expected in 2000:

Based on work carried out by ESCAP, study on the feasibility of an intergovernmental meeting, jointly organized with ESCAP, in Central Asia or the Caucasus to agree on common measures to facilitate combined transport services along the interregional links.
