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ECONOMIC COMMISSION FOR EUROPE

INLAND TRANSPORT COMMITTEE

Joint ECMT/UNECE Working Party/Group on Intermodal Transport and Logistics¹

Working Party on Intermodal Transport and
Logistics

SUBSTANTIVE DECISIONS

TAKEN BY THE WORKING PARTY AT ITS FORTY-FIRST SESSION²

(Paris, 25 March 2004)

ATTENDANCE

1. The session was attended by representatives of the following countries: Austria; Belgium; Bulgaria; Cyprus; Czech Republic; France; Germany; Hungary; Italy; Lithuania; Netherlands; Portugal; Romania; Russian Federation; Serbia and Montenegro; Switzerland; Ukraine. A representative of the European Community (EC) was present. The European Conference of Ministers of Transport (ECMT) and the Inter Governmental Organization for International Carriage by Rail (OTIF) were represented as well as the following non-governmental organizations: European Association for Forwarding, Transport, Logistics and Customs Services (CLECAT); European Association of Railwaymen (AEC); European Intermodal Association (EIA); International Container Bureau (ICB); International Organization for Standardization (ISO); International Road Transport Union (IRU); International Union of Combined Road/Rail Transport Companies (UIRR); International Union of Railways (UIC); “Groupement Européen du Transport Combiné” (GETC).

¹ The UNECE and ECMT have adopted cooperative arrangements in establishing the “Joint ECMT/UNECE Working Party/Group on Intermodal Transport and Logistics” consisting of separate ECMT and UNECE segments, the UNECE segment consisting of its Working Party on Intermodal Transport and Logistics (WP.24).

² This document has been prepared by the UNECE secretariat in consultation with the elected officers of the session. It will be formally adopted at the forthcoming session of the Working Party (28 and 29 September 2004). Official documents as well as other information relating to the activities of the Working Party are available on the relevant UNECE web site: www.unece.org/trans/wp24/welcome.html.

ELECTION OF OFFICERS

2. Mr. M. Viardot (France) was re-elected Chairman of the Working Party for its sessions in 2004.

3. He pointed out that, in accordance with the decisions of the Inland Transport Committee, the Working Party has not only modified its name and scope of work, but would now also convene within the newly created joint ECMT/UNECE institutional framework (ECE/TRANS/156, para. 94). This should not only streamline the already existing cooperative procedures between the two organizations, but should also create synergies in intergovernmental policy, technical and legal activities in this field at the pan-European level.

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

(a) Status of the AGTC Agreement

Documentation: ECE/TRANS/88/Rev.2.

4. At present, the AGTC Agreement has 26 Contracting Parties³. The Government of the Ukraine has informed the Inland Transport Committee of its intention to accede to the AGTC in the near future (ECE/TRANS/156, para. 31).

5. The up-to-date text of the AGTC Agreement, as consolidated by the secretariat, is contained in document ECE/TRANS/88/Rev.2 (English and French only). The Russian version will be finalized by the secretariat in due course (for details see: www.unece.org/trans-legal/instruments). It should be noted that only the text kept in custody by the Secretary-General of the United Nations in his capacity as depositary of the AGTC Agreement constitutes the authoritative text of the Agreement.

³ Austria; Belarus; Belgium; Bulgaria; Croatia; Czech Republic; Denmark; France; Georgia; Germany; Greece; Hungary; Italy; Luxembourg; Kazakhstan; Netherlands; Norway; Poland; Portugal; Republic of Moldova; Romania; Russian Federation; Slovakia; Slovenia, Switzerland and Turkey.

(b) **Status of amendment proposals adopted by the Working Party**

Documentation: TRANS/WP.24/97, annexes 1 and 2.

6. The Working Party noted that, in accordance with Depository Notifications C.N.749.2003.TREATIES-1 of 16 July 2003 and C.N.39.2004.TREATIES-1 of 19 January 2004, the amendments to Annexes I and II of the AGTC Agreement proposed by Norway and Slovenia, as adopted by the Working Party on 9 October 2002, had come into force on 16 April 2004 (for details see: <http://www.unece.org/trans/wp24/depnot.html>).

(c) **New amendment proposals**

Documentation: TRANS/WP.24/2004/1/Corr.1 and Add.1; TRANS/WP.24/2004/2.

7. The Contracting Parties to the AGTC Agreement represented at the Working Party adopted unanimously the amendments proposed by the Russian Federation, as contained in document TRANS/WP.24/2004/Corr.1. The adopted amendments are contained in the annex to this report.

8. The Working Party noted that the secretariat would transmit the adopted amendment proposals to the Secretary-General of the United Nations in his capacity as depositary of the Agreement for issuance of the required depository notifications.

9. In accordance with the decision of the Working Party at its fortieth session (TRANS/WP.24/101, para.13), the secretariat has prepared a first draft of possible amendment proposals on further Euro-Asian transport links aligning the AGTC network with that of the AGC Agreement on railway transport (TRANS/WP.24/2004/2). The Working Party decided to consider such proposals at its next session. Concerned countries were invited to transmit to the secretariat their views and proposals on newly to be inserted combined transport lines and related installations.

(d) **Inventory of existing AGTC standards and parameters**

10. The Working Party noted that the secretariat had transmitted pre-filled questionnaires (English and French only) to all Contracting Parties for the collection of 2002 data relating to the AGTC Agreement and to the relevance of the standards and parameters contained therein ("Yellow Book").

11. In order to provide countries with more time to fill-in the two complex questionnaires, the deadline for replies to be returned to the secretariat was extended to 31 May 2004.

12. Further copies of the country questionnaires may be obtained from the secretariat (wp.24@unece.org).

PROTOCOL ON COMBINED TRANSPORT ON INLAND WATERWAYS TO THE AGTC AGREEMENT

Documentation: ECE/TRANS/122 and Corrs. 1 and 2; TRANS/WP.24/79.

13. The Working Party took note of the request made by the Inland Transport Committee to undertake an analysis of the reasons that have led to the non-acceptance of a number of international legal instruments, including the Protocol to the AGTC Agreement (ECE/TRANS/156, para. 29).

14. The Protocol has been ratified so far by seven countries, but is not yet in force⁴.

RECONCILIATION AND HARMONIZATION OF CIVIL LIABILITY REGIMES GOVERNING INTERMODAL TRANSPORT

15. Following a thorough exchange of views on this issue at the last session of the Working Party (TRANS/WP.24/101), the Inland Transport Committee has recommended that enquiries should be carried out on the appropriateness of civil liability regimes governing European transport operations (ECE/TRANS/156, para. 93). The Working Party, taking note of the latest activities in this field by the United Nations Commission on International Trade Law (UNCITRAL), decided to convene its ad hoc expert group before its forthcoming September session and before the autumn session of the UNCITRAL Working Group on Transport Law.

ROLE OF RAILWAYS IN THE PROMOTION OF COMBINED TRANSPORT

Documentation: TRANS/WP.24/2004/3; TRANS/WP.24/2003/6; TRANS/SC.2/2002/9; TRANS/WP.24/2002/1 to 4; TRANS/WP.24/2001/1 to 8; Informal documents No. 1 and 3 (2004); Informal documents No. 3, 5 and 12 (2003); Informal document No. 10 (2002); Informal documents No. 1 and 3 to 6 (2001).

16. On the basis of document TRANS/WP.24/2004/3 and an informal note (French only) prepared by its Chairman, the Working Party continued consideration of the “model” action plans or framework agreements as well as “model” partnership agreements already approved in principle by the Working Party at its fortieth session (TRANS/WP.24/2003/6). The objective of these “models” is to establish “benchmarks” and set out “good practices” to assist Contracting Parties to the AGTC

⁴ Bulgaria; Czech Republic; Denmark; Luxembourg; Netherlands; Romania; Switzerland.

and all actors involved in international combined transport services to cooperate with each other at the policy as well as at technical and commercial levels with a view to improving the competitiveness of international intermodal transport services in the region.

17. The Working Party felt that the “models” presently prepared could fill the gap between, on the one hand, the AGTC Agreement defining the desirable infrastructure and services parameters required for competitive international intermodal transport and, on the other hand, the “Yellow Book” showing the present infrastructure and service realities of European combined or intermodal transport.

Such “models” would thus not only provide for the necessary means to facilitate international cooperation, but could also contribute to measure success and to facilitate the move from realities to the commercial and political aspirations in international intermodal transport.

18. In this context it was noted that it was of the utmost importance to clearly define the responsibilities of the individual actors within the intermodal transport chain, including the imposition of penalties in case of non-performance.

19. Taking note of the mandated legal opinion of the secretariat as contained in Informal Document No.1 (2004), the Working Party expressed caution with regard to the possible inclusion of such “models” into the AGTC Agreement as legal negotiations often tended to reduce specific and demanding requirements to the smallest common denominator. Other alternatives, such as the elaboration of opinions, recommendations or resolutions should be explored as means to publicize and implement such “models”.

20. The Working Party requested its ad hoc expert group to finalize the substantive provisions of the “models” and to prepare, if possible, alternative publication and implementation procedures for consideration at its forthcoming session.

MONITORING OF WEIGHTS AND DIMENSIONS OF LOADING UNITS IN COMBINED TRANSPORT

Documentation: TRANS/WP.24/2004/4; Informal document No. 4 (2004).

21. The Working Party noted the outcome of the Plenary session of ISO Technical Committee TC 104 that had considered the possible standardization of 45 ft containers and had requested UNECE to clarify the applicability of Inland Transport Committee (ITC) resolution No. 241 of 5 February 1993 on “Increasing Dimensions of Loading Units in Combined Transport” (TRANS/WP.24/101, paras. 20-23). On the basis of secretariat document TRANS/WP.24/2004/4, the Working Party considered the text of resolution No. 241 as well as related information on a similar resolution adopted at the second global Seminar on the Impact of Increasing Dimensions of Loading Units on Combined Transport (Geneva, 1-4 September 1992).

22. In this context, the Working Party was briefed on current work undertaken on a European Directive on Intermodal Loading Units that proposes the introduction, on a voluntary basis, of a European intermodal loading unit (EILU) complying with the essential European intermodal requirements in terms of security, safety, interoperability, handling, securing, strength, coding and identification of units.

23. Noting that in most European countries the length of the ISO-considered 45 ft container would come in conflict with national road transport regulations that were not likely to be modified to accommodate the transport of such loading units on a regular basis, the Working Party requested the secretariat to consult with UNECE member States with a view to obtaining a representative opinion on the ISO proposals to standardize maritime containers with the following dimensions: 45' x 8' x 9'6" (L x W x H).

OTHER BUSINESS

(a) Transport and Security

Documentation: TRANS/2004/15; ECMT draft report on container transport security across modes.

24. The Working Party was informed of work undertaken by ECMT in cooperation with OECD on ways of verifying the identity and integrity of containerized cargo as it is carried across modes in intermodal transport. Based on its 2002 Ministerial Declaration on Combating Terrorism in Transport, a report on container transport security across modes is being finalized for the meeting of the ECMT Council of Ministers to be held in Ljubljana in May 2004.

(b) New developments in intermodal transport

Documentation: Informal document No. 5 (2004).

25. The Working Party was informed about new developments in intermodal transport by the representatives of Hungary; Netherlands (transport priorities during the forthcoming Dutch presidency of the European Union), European Commission, CLECAT, OTIF and UIRR.

(c) Date of next session

26. Upon invitation by the Government of the Ukraine, the Working Party is planning to hold its autumn session on 28 and 29 September 2004 in Kiev, in conjunction with the next session of the ECMT Group on Intermodal Transport and Logistics and the international Conference on Eurasian transport links.

ADOPTION OF DECISIONS

27. Based on the conclusions drawn by the Chair at the end of its session, the Working Party requested the secretariat to prepare, in cooperation with the Chair, a short report of the session for formal adoption at the autumn session of the Working Party.

“C-20/1 Saint Petersburg–Vologda–Kotelnich”

Country directly concerned (AGTC Article 15,3): Russian Federation.

“C-20/2 Moscow–Kazan–Ekaterinburg”

Country directly concerned (AGTC Article 15,3): Russian Federation.

“C-20/3 Kaliningrad-Cherniakhovsk-Nesterov (- Kibartai)⁹”

Countries directly concerned (AGTC Article 15,3): Russian Federation.

“C-E 24 Moskva-Ryazan-Ruzaevka-Samara-Ufa-Chelyabinsk-Kurgan

–Zauralie (-Presnogorskovskaya)” [Reason: Alignment with AGC Agreement]

Countries directly concerned (AGTC Article 15,3): Russian Federation.

“C-E 30 (Topoli)-Valuiki-Liski-Rtischevo-Sizran-Samara-Orenburg (-Ilesk I)”

Countries directly concerned (AGTC Article 15,3): Germany; Kazakhstan; Poland;
Russian Federation.

Modify the existing line C-E 50 to read as follows: [Reason: Alignment with AGC Agreement]

“C-E 50 (Krasnoya Mogila-) Gukovo-Likhaya-Volgograd-Astrakhan (-Aksaraiskaya II)”

Countries directly concerned (AGTC Article 15,3): Austria; France; Hungary; Kazakhstan;
Russian Federation; Switzerland.

⁹ Border station in Lithuania.

AGTC Annex II

Add the following terminals:

“Voinovka (Tumen)
Omsk-Vostochnyi
Kleschikha (Novosibirsk)
Bazaikha (Krasnoyarsk)
Batareinaya (Irkutsk)
Taltsy (Ulan-Ude)
Chita I
Mikhailo-Chesnokavskaya (Belorsk)
Khabarovsk II
Ussuriysk
Nakhodka-Vostonchnaya”

Add the following border crossing points:

“Nesterov (RZD) - Kibartai (Lithuanian Railways)	[C-E 20/3]
Valuiki (RZD) - Topoli (UZ)	[C-E 30]
Gukovo (RZD) – Krasnoya Mogila (UZ)	[C-E 50]
Zauralie (RZD) - Presnogorkovskaya (Kazakh Railways)	[C-E 24]
Petukhovo (RZD) - Mamlyutka (Kazakh Railways)	[C-E 20]
Isilkul (RZD) - Kara-Guga (Kazakh Railways)	[C-E 20]
Astrakhan (RZD) – Aksaraiskaya II (Kazakh Railways)	[C-E 50]
Orenburg (RZD) - Iletsk I] (Kazakh Railways)	[C-E 30]
Naushki (RZD) - Sukhe-Bator (Mongolian Railways)	[C-E 20]
Zabaikalsk (RZD) - Manchzhuria (Chinese Railways)	[C-E 20]
Hasan (RZD) - Tumangan (Railways of the Democratic People’s Republic of Korea)”	[C-E 20]

Add the following gauge interchange stations:

“Zabaikalsk (RZD) - Manchzhuria (Chinese Railways)

Change of wagon axles/bogies: Yes Yes

Transshipment of loading units: Yes Yes

Hasan (RZD) - Tumangan (Railways of the Democratic People’s Republic of Korea)

Change of wagon axles/bogies: Yes No

Transshipment of loading units: Yes Yes”

Add the following ferry links/ports:

“Kaliningrad - Lübeck (Russian Federation - Germany)

Baltyisk - Lübeck (Russian Federation - Germany)

Nakhodka - Yokohama (Russian Federation - Japan)

Vostochnyi - Pussan (Russian Federation - Republic of Korea)”
