

INLAND TRANSPORT COMMITTEE**Working Party on the Transport
of Dangerous Goods**

(Seventy-seventh session, agenda item 6,
Geneva, 25-28 October 2004)

PROGRAMME OF WORK**Standardized risk analysis****Note by the secretariat**

The secretariat reproduces below paragraphs 67 to 74 of the report of the RID/ADR/ADN Joint Meeting on the session held in Geneva from 13 to 17 September 2004 (TRANS/WP.15/AC.1/96). Attached are the related informal documents INF.6, INF.7 and INF.8 which had been submitted to the Joint Meeting.

For reference, the programme of work of the Working Party is reproduced in document ECE/TRANS/156/Add.1, programme activity 02.7 (see below). Should WP.15 decide to include Standardized risk analysis in its work programme or that of the Joint Meeting, programme activity 02.7 should be amended to reflect this activity, its nature (continuing, ad hoc), the work to be undertaken, the priority and the time framework (deadline for completion).

Working group on “standardized risk analysis”

Informal documents: INF.6 (OCTI), INF.7 (Germany) and INF.8 (Germany)

67. The representative of Germany introduced informal document INF.8, the intention of which was to transform the above-mentioned working group of the RID Committee of Experts into a working group of the RID/ADR Joint Meeting, and explained the goal of the research project.

68. The representative of the European Commission recalled that the Commission had expressed interest in the multimodal aspect of the project and envisaged financial support although no budget was available for 2005.

69. A representative of the UNECE secretariat recalled that the Joint Meeting's mandate was to harmonize the provisions of RID/ADR/ADN and that this was a new element in the programme of work which would have to be approved by WP.15 and the Inland Transport Committee.

70. In an indicative vote, the Joint Meeting declared, by 12 votes to 1, with 11 abstentions, that it was in favour of establishing a joint informal working group of

the transport modes (roads, railways, inland waterways) for standardized risk analysis.

71. The Working Party on the Transport of Dangerous Goods, WP.15, was invited at its next session to accept this move so that the programme of work of the Inland Transport Committee could be amended accordingly. The above-mentioned informal documents would be submitted to it and the invitation to participate in the next meeting of the working group on risk analysis would be sent not only to the delegates of ADR who had already taken part in the first meeting but also to the Governments of Contracting Parties to ADR.

72. In the course of the discussion it was noted that the legal framework of RID and ADR differed in the context of Chapter 1.9 in the fact that in RID proof must be furnished of the need for the measures.

73. The Chairman of WP.15 said that the Working Party would at its next session consider the possibility of alignment with RID in the circumstances.

74. It was also noted that the working group's aim was to draft recommendations in order to achieve a minimum standard on the basis of a guiding principle. Several representatives expressed the hope that these provisions (guidelines) would not be tied into a legal framework. It was further noted that risk analyses could be used to justify restrictions and also to make transport possible.

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Existing WP.15 programme of work

PROGRAMME ACTIVITY 02.7: TRANSPORT OF DANGEROUS GOODS

Regulations on the transport of dangerous goods by road, rail, inland waterway and combined transport

Priority: 1

Description: Consideration of regulations and technical questions concerning the international carriage of dangerous goods in the region. Preparation of new international agreements and harmonization of existing agreements in this field to enhance safety at the same time as facilitating trade, in cooperation with the Economic and Social Council's Committee of Experts on the Transport of Dangerous Goods and on the Globally Harmonized System of Classification and Labelling of Chemicals.

Work to be undertaken:

By the Working Party on the Transport of Dangerous Goods (WP.15)

CONTINUING ACTIVITIES

- (a) Consideration of proposed amendments relating expressly to the European Agreement concerning the International Carriage of Dangerous Goods by Road (ADR) and relating to administrative and technical questions pertaining to its

implementation and the national and international implementation of its annexes, to ensure the necessary updating of legislation and the introduction of a uniform, harmonized and coherent system for the regulation of the national and international transport of dangerous goods by road throughout Europe. (Continuing) (WP.15).

Output expected: Adoption of a set of draft amendments to Annexes A and B of ADR by the end of 2005 for entry into force on 1 January 2007, and by the end of 2007 for entry into force on 1 January 2009.

Publication of revised consolidated editions of ADR in 2004, 2006 and 2008.

Priority: 1

- (b) Consideration of proposed amendments relating expressly to the Regulations annexed to the European Agreement concerning the International Carriage of Dangerous Goods by Inland Waterways and pertaining to administrative and technical questions concerning their implementation, in order to ensure the necessary updating of those provisions and the introduction of a uniform, harmonized and coherent system for the regulation of the national and international transport of dangerous goods by inland waterway throughout Europe (Continuing) (WP.15/AC.2).

Output expected: Adoption of draft amendments to the Regulations annexed to ADN in 2004, 2005, 2006, 2007 and 2008 for application by Member States as soon as possible and for submission to the ADN Administrative Committee as soon as ADN enters into force.

Priority: 1

- (c) Harmonization of the provisions of ADR, ADN and the International Regulations concerning the Carriage of Dangerous Goods by Rail (RID), on the basis of the United Nations Recommendations on the Transport of Dangerous Goods, and consideration of proposed amendments to the provisions common to ADR, RID and ADN in order to harmonize regulations governing the various modes of inland transport throughout Europe, in accordance with the provisions recommended by the United Nations for world-wide application to all transport modes, so as to facilitate multimodal transport and international trade under safety conditions in keeping with each mode of transport (Continuing) (WP.15/AC.1).

Output expected: Adoption of draft amendments to ADR, RID and ADN by the end of 2005 for entry into force on 1 January 2007 and by the end of 2007 for entry into force on 1 January 2009.

Priority: 1

RID/ADR

Joint Meeting
(Geneva, 13 - 17 September 2004)

**Final report of the first meeting of the RID Committee of Experts Working
Group on standardized risk analysis
(Bonn, 22 and 23 April 2004)
(OCTI circular A 81-03/504.2004 to the COTIF Member States of 11 June
2004)**

1. At the invitation of the German Federal Ministry of Transport, Construction and Housing (BMVBW), the 1st session of the Working Group on standardized risk analysis for RID/ADR Chapter 1.9 was held in Bonn on 22 and 23 April 2004.
2. The following States took part in the session: Belgium, Germany, France, Latvia, Netherlands, Austria, Portugal, Romania, Sweden, Switzerland, Spain, Hungary and the United Kingdom. The following were also represented: the European Commission, the Intergovernmental Organisation for International Carriage by Rail (OTIF), the European Chemical Industry Council (CEFIC), the International Federation of Freight Forwarders Associations (FIATA), the International Road Transport Union (IRU), the International Union of Railways (UIC) and the International Union of Private Wagons (UIP).
3. In the following report of the session, speakers are referred to by name where they are clearly identifiable from the notes.

Agenda item 1: Welcome

4. Mr. Rein (D) welcomed participants to the working group session. At his suggestion, Dr. Hundhausen (D) was elected chairman of the working group and Mr. van den Brand (NL) was elected vice-chairman.

Agenda item 2: Status of the amendment of RID/ADR Chapter 1.9

5. Mr. Rein (D) referred to the version of RID Chapter 1.9 concerning restrictions on carriage imposed by the competent authorities as documented in the final report of the 40th session of the RID Committee of Experts (document A 81-03/501.2004), which is to enter into force on 1 January 2005. The task of the newly formed working group on standardized risk analysis, formulated during the above meeting was to find and define

possibilities for standardizing risk analysis to evaluate the need for measures in the context of Chapter 1.9 of RID. In so doing, there was a need to harmonize the procedure for rail transport and road transport.

6. Mr. Tiemersma (NL) pointed out that standardized risk analysis was not the only way to resolve the problems that exist, but that other steps at national level must also be possible.
7. Mr. Rein (D) explained that the use of more stringent safety requirements made by different parties should also continue to be possible. The standardization of risk analysis should be restricted to demonstrating the need for measures in the context of Chapter 1.9.
8. With regard to Mr. Rein's (D) proposal to set up an agency for the technical management and coordination of the project through the Association for Plant and Reactor Safety (GRS) and to obtain financial support for the project in the framework of a network to be established, Mr. Laakso (EU) made clear that he welcomed the initiative, but could not give any general undertakings.
9. Mr. Visser (UIC) pointed out that section 1.9.5 contained in the present draft Chapter 1.9 of RID did not deal with any restrictions on carriage. He was of the view that in Chapter 1.9, a clear division between the provisions for restrictions on carriage and the "special safety provisions" should be made. Mr. Rein (D) was of the view that as far as the text was concerned, section 1.9.5 was sufficiently separate from the provisions concerning restrictions on carriage. Mr. Tiemersma (NL) also questioned the need for another amendment. The chairman suggested discussing this item again at the next session of the RID Committee of Experts.

**Agenda item 3: Work assignment for the working group on
standardized risk analysis for RID/ADR Chapter
1.9**

10. Mr. Visser (UIC) introduced UIC's paper on the standardization of risk analysis for the carriage of dangerous goods by rail, which was distributed electronically in the run up to the session. According to their paper, UIC considered the most important tasks of the working group to be to deal with the subjects of risk acceptability, case histories of accidents, the comparison of risk analysis methods and to take account of technical progress when carrying out risk assessment. In the context of UIC's possible contribution to the work of the working group, the offer was renewed to carry out, for a pan-European case history, a new analysis of serious rail accidents involving dangerous goods that had occurred in recent decades, using the present accident report form in RID/ADR 1.8.5. Supplemented by data on the flow of traffic, this information should be made available to the working group.

11. The chairman confirmed that a fresh data analysis was to be given top priority, before even the comparison of methods, and this would form the basis for dealing with the subject of risk acceptability.
12. Dr. Schiess (CH) pointed out that consideration of major accidents alone was not enough to provide reliable accident statistics. Mr. van den Brand (NL) also shared this opinion, although he welcomed UIC's initiative as a possible contribution to covering the conditional probabilities in analysing the incident tree.
13. In Mr. Laakso's (EU) view, the consideration of rail accidents involving the carriage of dangerous had to entail similar activities for other modes of transport.
14. Mr. Rein (D) pointed out that the existing obligation to report on accidents would in future also lead to smaller accidents being recorded. He considered the analysis of major accidents being offered to be important input for calibrating the risk analysis models.
15. With regard to the working group's task to develop a guide to standardizing risk analysis, Dr. Salander-Ludwig (UIC) pointed out that in so doing, the financial feasibility of the risk analysis itself, and of the measures, had to be taken into account. In addition, she referred to the current development of an accident database at UIC.
16. In Mr. Rein's (D) view, irrespective of the precise definition of the outcome the working group was aiming for, an attempt should be made to include the initial results of the work in the version of RID/ADR which was to enter into force on 1.1.2007.
17. Mr. van den Brand (NL) endorsed the need for the additional statistical analysis of accidents beyond the carriage of dangerous goods and pointed out the problem that if the standardization of risk analysis was too far-reaching, this might encroach into areas outside the scope of RID/ADR and into States' sovereignty.
18. The chairman considered that the comments made were items for the planned preparation of a guide.
19. Mr. Cailleton (F) pointed out that risk analysis consisted of many elements and went beyond the regulatory scope of RID. He also emphasized the need for a common approach for both rail and road transport.

Agenda item 4: Presentation of the risk analysis that already exists in France, the Netherlands, Switzerland and the United Kingdom

20. Mr. Balmer (CH) explained the procedure in Switzerland for quantitative risk analysis for the transport of dangerous goods by rail. This was followed by Mr. van den Brand's (NL) presentation on the basic aspects of risk analysis and its implementation in the Netherlands and, based on this knowledge, on ideas about international standardization in relation to the work of this working group.
21. In the subsequent discussion, Mr. Heintz (F) stressed the need to achieve standardization that was consistent with existing national and international rules, particularly with the European directives concerning rail safety.
22. In reply to a comment by Mrs. Geysels (IRU) that the proportion of risk analysis which, according to the presentation, it was possible exactly to determine scientifically was surprisingly small, Mr. van den Brand (NL) made clear that a large proportion of the risk analysis models and methods used did in fact rest on there being agreement between different expert opinions. Dr. Riley (UK) stressed the difficulty of achieving such agreement by reference to an international conference in Toronto where it had not been possible to reach consensus between the methods of different groups of experts in relation to the risk assessment of a set transport scenario.
23. Dr. Schiess (CH) emphasized that in risk analysis, there were a lot of areas and interest groups that had to be taken into account.
24. Dr. Riley's (UK) presentation provided an overview of the risk assessment procedures in the United Kingdom. At the request of Dr. Ludwig (D), Dr. Riley offered to make available an additional diagram showing the public risk in road transport. Mr. Tiemersma (NL) also recommended aiming at improving the safety of dangerous goods transport by exchanging findings from risk analyses in different countries.
25. Mr. Cailleton (F) said that in France, there was no general definition of risk criteria for the carriage of dangerous goods by rail, but that decisions were made depending on the individual case. The next presentation by Dr. Ruffin (F) explained the status of the research programme carried out by INERIS to develop a multimodal risk analysis model on the basis of the OECD/PIARC model for tunnels.
26. In reply to a further query from Mr. Laakso (EU) concerning the distribution and practicability of the model presented, Dr. Ruffin (F) explained that distribution of the model was controlled by PIARC (World Road Association). The model was already used in other countries as well, but as yet, no results from them were known. Mr. Cailleton (F) added that experiences resulting from its implementation in France for comparative risk analysis between tunnels and open lines should be incorporated into a guide.

27. Mr. Cailleton (F) replied to Mr. van den Brand's (NL) question concerning the applicability of the model when an absolute assessment of the risk was dispensed with, by referring to the fact that there were no absolute risk assessment criteria in France and that for assessing alternative routes, a relative approach was sufficient.
28. Dr. Gilabert (CH) drew attention to the need to achieve agreement with regard to the risk analysis methods and the criteria for deriving measures. In connection with the OECD/PIARC model, when WP.15 had reviewed it, it had been established that in attributing the risks, political aspects had to be incorporated as well as the aspects founded on technical safety. For example, the quantity limits in ADR 1.1.3.6 were taken over as the quantity threshold for tunnel safety, and the highly toxic and corrosive substances had not been included. These conclusions should also be incorporated into the OECD/PIARC model.
29. In reply to a question from Mrs. Geysels (IRU) concerning the choice of the types of wagon and weight categories that were taken into account in the model, Dr. Ruffin (F) explained that the choice of scenarios was based on a consensus at European level which took statistical data into consideration.
30. Mr. Wilkin (B) was of the view that because the possibility existed of making a detailed record of the flows of substances in rail transport it was not necessary to classify substances. Dr. Ruffin (F) confirmed this possibility, but pointed out that in order to establish scenarios for accidents involving dangerous goods in both road and rail transport, further information over and above the information referred to would be needed.

**Agenda item 6: Provisional plan of work for developing a
 standardized risk analysis**

31. After a brief overview by Dr. Lange (D) of GRS's areas of work and of its experience in the field of dangerous goods transport risk analysis, there followed a presentation on the main subjects to be dealt with in the working group and on a plan of work for the standardization of risk analysis as a basis for discussion.
32. Dr. Lange (D) welcomed UIC's renewed offer to provide accident data as set out above, but asked them to check to what extent it would be possible also to provide information on accidents in freight transport as a whole, as a further important basis. Mr. Visser (UIC) agreed to seek possibilities for supporting the working group from among those responsible for the UIC's existing rail accidents database.
33. Dr. Schiess (CH) noted that in having a restriction to a few classes of substances, rare but serious accidents should not be forgotten, e.g. those involving ammonium nitrate or explosives. According to Mr. Visser (UIC), approximately 90% of fertiliser transport did not come under the

requirements of RID. In connection with this, Mr. del Rey Llorente (E) drew attention to an accident involving ammonium nitrate that had recently occurred in Spain.

34. In the light of recent events, at the suggestion of Mr. Visser (UIC), the chairman asked for a minute's silence to remember the victims of the dangerous goods accident in North Korea.
35. Mr. van den Brand (NL) proposed setting up a small group to discuss with UIC the requirements and requests with regard to the data to be provided. Dr. Lange (D) supported this proposal. Mr. Visser (UIC) expressed doubt that information that went beyond the scope of Chapter 1.8.5 could be provided. The chairman proposed forming such a working group either directly or in bilateral discussions.
36. Mr. Tiemersma (NL) thought that in the context of the working group's work, there should also be a discussion on the advantages and disadvantages of applying a standardized risk analysis.
37. The chairman and Dr. Lange (D) suggested that agenda item 7 on possible support from the European Commission be brought forward as a basis for continuing the discussion on agenda item 6.

Agenda item 7: Cooperation/support from the European Commission in developing a standardized risk analysis

38. With regard to the European Commission's interest in the possible outcome of the working group, Mr. Laakso (EU) cited transparency of measures in accordance with RID/ADR Chapter 1.9, the promotion of unhindered freight transport in Europe, particularly of dangerous goods transport by rail within the meaning of Directive 96/49/EC, and the harmonization of provisions with a parallel effect on other modes of transport. In addition, he drew attention to the potential benefit of the results for the security of transport operations involving dangerous goods, which was becoming increasingly significant.
39. No assurances could be given with regard to the EU's possible partial funding of the work. A request to submit proposals by the deadline of 30 June 2004, the objective of which the work being planned was in principle suitable for, was to be published on the internet in a few days. Any project proposal from the working group would go through the usual assessment process and be subject to the customary ancillary conditions. The maximum share of the subsidy could be 50% of the actual costs of the project, so the remaining share would have to be raised elsewhere. When the application was made, the main tenderer would already have to be established, as well as the other members of the consortium.

Agenda item 6: Provisional plan of work for developing a standardized risk analysis (continued)

40. Accordingly, the chairman opened for discussion as the main points to be clarified the organisation and allocation of the work and the possibilities for co-funding.
41. In reply to the concern expressed by Mr. van den Brand (NL) that the objective of the working group to promote unhindered freight transport could be at the expense of national opportunities for protecting the population, Mr. Laakso (EU) explained that for the EU, unhindered transport was paramount, but that according to RID/ADR and Directive 96/49/EC, the possibility of having national restrictions for reasons of safety was ensured.
42. Mrs. Geysels (IRU) reminded the meeting that the project also concerned road transport and as a basis for discussing the possibilities for co-funding, requested an estimate of the scale of the project.
43. Dr. Lange (D) drew attention to the difficulty of making an estimate without a detailed definition of tasks. Assuming GRS provided expert coordination of the project management and that other States' institutions joined in with the work, he estimated that it would be in the region of 1 million € per year over two years, but it was necessary that the co-funding be resolved quickly owing to the need to meet the deadline for submitting a project proposal.
44. Based on the information available, the chairman asked the States represented to make known their interest in collaborating on the project and in helping to fund it.
45. Mr. Le Fort (CH) announced Switzerland's readiness, in principle, to take part in the project, but referred to the need for further talks to clarify financial involvement. According to Mr. Laakso, funding from non EU Member States was equally possible, as it also was of course from the new EU Member States.
46. Mr. del Rey Llorente (E) expressed great interest in the project, owing amongst other things to the planning of Spain's own methods of risk analysis in tunnels, but could not at the moment say anything with regard to the financial aspect.
47. At Dr. Ruffin's (F) request, Mr. Laakso (EU) explained that in calling for tenders, this was a request to submit proposals, and industry participation was also possible.
48. Mr. van den Brand (NL) said that whether his country participated would depend on the aim of the project and considered that a contribution to the

funding was unlikely if too great a restriction were placed on national rules as a result of the process of standardization.

49. Dr. Lange (D) said the main task of the project was first to review the existing methods in order to make clear the opportunities for harmonization and to ensure the transparency of risk analysis. As he understood it, it should be possible for the Netherlands to support this.
50. M. Cailleton (F) made any agreement to take part dependant upon discussions that had still to be held with the other ministries concerned. He considered that further points to be dealt with in a requirement specification that might need to be broadened were the aspect concerning the dependency of the risk analysis methods used on the type of questions, and informing the public.
51. Mr. Hoffmann (D) said he understood the reservations that had been raised, but with a view to present cases of planned transport restrictions, he called upon the States represented and the associations concerned to participate in finding a harmonized solution to the problems. He informed the meeting about initial attempts to produce funding from Germany.
52. Dr. Lange (D) offered to incorporate the discussions of the working group meeting into a revised version of a draft of the project in order then to undertake further iterative firming up of the project in direct contact with the interested States.
53. Mrs. Pearson (UK) expressed interest in taking part, but referred to the need for other ministries to be involved, so she could not give a financial undertaking at this stage either.
54. With regard to a proposal from Dr. Schiess (CH) also to include the subject of risk management in the considerations, the chairman and Mr. Visser (UIC) were of the view that this went beyond the working group's mandate.
55. Mr. Laakso (EU) explained that the applicability of a risk analysis model to the analysis of safety issues was an interesting aspect. In Mr. Tiemersma's (NL) view, improving safety was also an important function of risk analysis. In Dr. Ruffin's (F) view, the value of risk analysis arose from its value for the whole process.
56. Mrs. Geysels (IRU) perceived differences between the various contributions to the discussion as to how the aim was described, from standardization of the tools by producing a guide, to having only an exchange of experiences and methods of the various States. She requested clarification.
57. In the ensuing discussion, it was established that a step-by-step concept should be pursued, with the first step being to seek possibilities for harmonization before the basis for standardization was set down. In so

doing, the principal aim was not to fix upon a specific model, but to set out minimum requirements and quality criteria for risk analysis.

58. In this context, Dr. Lange (D) mentioned the importance of minimum requirements in respect of the use of current methods that were as uniform as possible and of high-quality data, in order with this project to take an important step on the road towards the long-term aim of being able to interchange the methods used by various States. The chairman confirmed the importance of integrating scientific progress into a risk assessment.
59. In reply to Mr. Balmer's (CH) statement that the methodology used and the risk criteria for ensuring comparability should be firmly linked to each other, Dr. Lange (D) said that quantification of the risk should be separable from the assessment.
60. Mr. Mondril (P) made the decision on whether to participate dependant upon the definition of the aims of the project and wished to await the first draft of the project.
61. With reference to the harmonization of Chapter 1.9 in RID and ADR, M. Cailleton (F) was in favour of a corresponding alignment of risk analysis for rail, road and other transport modes. At the same time, he pointed out the guarantee of State sovereignty in the text of the European Framework Directive.
62. To sum up, Dr. Ludwig (D) stated as the objective of the project that the methods for demonstrating the need for measures should in future be made transparent and should fulfil certain minimum requirements. An attempt should be made to use a uniform methodology. Ensuring the quality of data and dealing with uncertainties should also be covered in guidelines. Mr. van den Brand (NL) shared this view of the objective.
63. On behalf of Germany, the chairman agreed to press ahead with setting up a project group and preparing a project proposal within the available time frame with the help of other States. He thanked those who had organized this working group meeting and closed the session.

Agenda item 8: Any other business

64. All the meeting documents that were not already available on the OTIF website would be published there.
 65. It was agreed to hold the next session of the working group on 21 and 22 October 2004. Germany said it was prepared to hold this session in Bonn and would again try to ensure that there would be interpretation into three languages.
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**INF.7
Joint Meeting –
Sept. 2004)**

Minutes of a meeting concerning the co-funding of the EU research project

"Standardized Risk Analyses for Transport of Dangerous Goods by Rail and Road", project proposal by GRS, Cologne

(Bonn, 28 June 2004)

(OCTI circular A 81-03/506.2004 to the COTIF Member States of 4 August 2004)

1. Participants

Dr. W. Brücher	Association for Plant and Reactor Safety, GRS, Cologne
A. Hoffmann	Federal Ministry of Transport, Construction and Housing, Bonn
Dr. G. Hundhausen	Federal Highway Research Institute, Berg. Gladbach
Dr. F. Lange	Association for Plant and Reactor Safety, GRS, Cologne
H. Rein	Head of Division, Federal Ministry of Transport, Construction and Housing, Bonn
Dr. C. Salander-Ludwig	Deutsche Bahn AG, Berlin
A. Schirmer	Engineer, Federal Railways Office, Bonn

2. Start: 10:00

3. Agenda

Co-funding of the EU research project "Standardized Risk Analyses for Transport of Dangerous Goods by Rail and Road", project proposal, GRS, Cologne.

Mr. Rein opened the meeting and welcomed those attending.

With reference to the comments from representatives of various States and international associations on the GRS project proposal, he noted that they were of the view that

- the working group's terms of reference should be further specified and
- the mandate for the research project was not sufficiently assured (additional decision by the Joint Meeting).

The meeting agreed that a Joint Meeting decision should be obtained in order to dispel these concerns.

So far, there was no sufficient basis for co-funding the research project arising from reactions to GRS's e.mail of 28.05.2004 (project proposal with a request to form partnerships and co-funding shares) and from telephone and e.mail contacts with potential project sponsors. There was no prospect at the meeting of securing complete co-funding for the research project in the short term.

It was decided not to submit a request for sponsorship to the European Commission by the deadline of 30 June 2004. The management and chairman of the working group should draft a funding and participation concept for the meeting in Bonn on 21/22 October 2004.

4. End of meeting: 13:30

INF.8
(Joint Meeting -
Sept. 2004)

Chapter 1.9 RID/ADR

**Proposal by the Government of Germany to transform the present RID
Working Group on “Standardized Risk Analysis” as a Joint Meeting
Working Group**

SUMMARY

<i>Explanatory summary:</i>	The present RID Working Group on “Standardized Risk Analysis” of the RID Expert Committee should be established as a Working Group of the Joint Meeting
<i>Decision to be taken:</i>	Approve the establishment of the Working Group
<i>Related documents:</i>	OCTI/RID/GT-III/2003/71 (TRANS/WP.15/AC.1/2003/71.

Introduction

Chapter 1.9 of RID/ADR allows the Member States to carry out under certain conditions more far-reaching safety measures, especially restrictions on carriage. In these cases, the RID demands that from 1 January 2005 the competent authority proves the necessity of the measures.

Individual Contracting States have already made use of this chapter for rail transport (the Netherlands and Switzerland). In road transport, too, various countries are already practicing restrictions on carriage.

Other states and especially the transport enterprises concerned are not always of the opinion that these measures are sufficiently well-founded. Especially the predictability of the services on individual transport relations is at risk if national measures at short notice make certain transport operations impossible.

The following demands were formulated in the international discussion:

- Before its introduction such a measure should be well-founded by the competent authority through risk analysis, i.e. through a probability theory, and it should be sufficiently based on statistical data.
- For reasons of transparency, the procedures and evaluations applied should be used according to a uniform scale.

- The measures should lead to a proven increase in transport safety and not to a shift of the risks to other routes or networks.
- The measure “shift to alternative routes” also implies the inclusion of road transport into the risk analysis justification of the measures.
- An internationally uniform evaluation method for all modes of transport would be desirable.

At the 39th meeting of the RID Expert Committee (Bern, 18 to 21 November 2002) it was decided to establish an international Working Group for rail transport. This Working Group should, without having a “narrow mandate”, examine the possibilities of a Europe-wide standardization and adaptation to Chapter 1.9 of ADR, possibly in the framework of CEN.

The Working Group “Chapter 1.9 RID” had the task of presenting a revised draft of Chapter 1.9 RID for the next meeting of the RID Expert Committee. The aim was to ensure a harmonised approach in all the COTIF Member States. In this connection, the Working Group charged UIC with the elaboration of proposals for a guideline for standardized risk analyses. At the 40th meeting of the RID Expert Committee (Sinaia, 17 to 21 November 2003) UIC stated that it could not fulfil this task with its own funds. It was decided to establish a Working Group for the elaboration of proposals for a guideline for standardized risk analyses. Germany assumed the organization and invitation to the foundation of the Working Group. Since there was a technical connection and the problem was the same for road transport, it was decided at the same time to propose that the Joint Meeting deal with the initiative.

At the first meeting of the Working Group “Standardized Risk Analysis” on 22/23 April 2004 the task of the Working Group was described as follows: “To find and define possibilities for standardizing risk analyses to evaluate the need for measures in the context of Chapter 1.9 of RID/ADR. In so doing there is the need to harmonize the procedure for rail transport and road transport.”

The basic elements of a research project which is to concretize, fill in and implement these tasks were presented and discussed. A preliminary expression of interest for assistance of the research project by the representatives of the Member States, international associations and the European Commission showed a great deal of approval of this research project. The funding of the research project was to be realized with the assistance of the European Commission and a 50 % co-financing by Member States and interested associations.

The following requirements regarding the further treatment of the problem were made or highlighted in the following opinions on a draft application for research assistance by the European Commission:

1. The mandate of the Working Group should be confirmed and concretized by the RID Expert Committee or by the Joint Meeting.
2. The Working Group “Standardized Risk Analysis” should be charged to accompany the research work as a “Steering Committee”.

At the meeting on 28 June 2004 organised to deal with the issue of co-financing, it was considered necessary to take account of the existing decision of the RID Expert Committee and of the above mentioned reservations in the opinions quoted and to bring about a decision of the Joint Meeting.

Application

The Joint Meeting is requested to decide:

1. The Working Group “Standardized Risk Analysis” constituted on 23/24 April 2004 in Bonn is to continue its assignment as a Working Group of the Joint Meeting. The Working Group has to regularly report to the Joint Meeting on the continuation of its work.
2. The Working Group “Standardized Risk Analysis” is to scientifically accompany and control the research project drawn up by its scientific management. Furthermore, endeavours should be made to achieve funding by the European commission in connection with co-financing by the RID/ADR Member States and/or interested international associations.

The aim of the research project is:

- The elaboration of recommendations for a guideline on standardized risk analyses in case of measures in accordance with Chapter 1.9 RID/ADR.
 - For this purpose the models used in the area of RID and ADR Member States are to be analysed and evaluated.
 - Minimum standards for the risk analysis models are to be developed.
 - A guideline for the execution of risk analyses is to be elaborated.
 - The most comprehensive, Europe-wide database possible to be used for risk analysis is to be established.
 - Recommendations for a scientific and organisational procedure for the further development of the recognized models are to be developed.
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