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Report of the Working Party on Road Transport on its 110th session

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I. Attendance

1. The Working Party on Road Transport (SC.1) held its 110th session on 26-28 October 2015, chaired by Mr. R. Symonenko (Ukraine). The following United Nations Economic Commission for Europe (UNECE) member States were represented in the meeting: Azerbaijan, Belgium, Germany, Hungary, Latvia, Netherlands, Poland, Russian Federation, Spain, Sweden, Switzerland, Turkey and Ukraine.

2. The European Union (EU) and the following non-governmental organizations were also represented: the Council of Bureaux (CoB), and International Road Transport Union (IRU).

II. Adoption of the agenda (agenda item 1)

3. SC.1 adopted the session's agenda (ECE/TRANS/SC.1/403). The secretariat noted that the provisional agenda (under the heading "documentation") mistakenly identifies ECE/TRANS/SC.1/2015/3 as ECE/TRANS/SC.1/2015/2 and vice versa.

III. Activities of interest to the Working Party (agenda item 2)

A. National delegations

4. Turkey informed the Working Party about its project to establish a national driving times and rest periods data monitoring centre. The centre, once fully operational, is expected to make remote compliance checks while the road checks would decrease.

B. International organizations

5. International Road Transport Union (IRU) reported on the recent resolution of the International Labour Organization that highlighted "the need for a level playing field which ensures that all transport network companies are covered by the same legal and regulatory framework as established for transport companies, in order to avoid a negative impact on job security, working conditions and road safety and to avoid informalization of the formal economy." SC.1 was further informed that a "Quality Charter" for international road haulage operations had been approved by the transport ministers of the European member countries of the International Transport Forum/ECMT. The "Quality Charter" establishes standards for companies, managers and drivers. It will enter into force on 1 January 2016 and will apply to pan-European road haulage operations under the multilateral quota system.

C. Activities of UNECE bodies and other United Nations organizations

6. SC.1 was informed about the key decisions made at the seventy-seventh session of the Inland Transport Committee (ITC) of interest to the Working Party. In particular, SC.1 was informed about ITC: (i) recommending the extension of the mandate for the AETR Group of Experts, (ii) taking note of the amendment proposal – earlier adopted by SC.1 – incorporating selected "e-mobility" issues into the European Agreement on Main International Traffic Arteries (AGR), (iii) welcoming the information to amend article 14 of the AETR Agreement, and (iv) calling to finalize the draft OmniBus Agreement.

IV. European Agreement concerning the Work of Crews of Vehicles Engaged in International Road Transport (AETR) (agenda item 3)

A. Status of the Agreement

7. The secretariat informed SC.1 about the status of the AETR Agreement. First, information was provided about the signing of the extension of the Memorandum of Understanding which recognizes the Joint Research Centre as the authority responsible for Root and Interoperability Certification for non-EU AETR Contracting Parties. The extended Memorandum is now in effect and will expire on 30 June 2017 (available at www.unece.org/fileadmin/DAM/trans/doc/2015/sc1/ECE-TRANS-SC1-INF-2015-02e.pdf).

8. Second, the secretariat, upon request of the Government of the Republic of Serbia, informed SC.1 about a large number of border crossings closures (with Croatia and Hungary) due to the current refugee crisis. The closures have led to major disruptions in international road transport, including prevalent non-compliance with AETR provisions related to driving times and rest periods. The Government of Serbia requested all AETR authorities undertaking inspections to take this exceptional situation into account.

9. Third, SC.1 was also informed about the secretariat's joint work with the Euromed Transport Project to prepare and publish an "AETR Road Map". SC.1 took note of the information provided, requested the secretariat to provide translation of the "AETR Road Map" into French and Russian, to table it at the next ITC session for endorsement, and arrange for its printing.

10. Finally, SC.1 was informed about the status of an amendment proposal which, if accepted, would allow four non-UNECE member States to accede to the AETR Agreement. The secretariat informed SC.1 that due to notification of the Secretary-General (C.N.290.2015.TREATIES-XI.B.21) on 7 May 2015 by the Government of the Netherlands invoking Article 21(2(b)), the acceptance or rejection of the amendment proposal of 18 February 2015 will only be determined by 18 May 2016 (i.e. nine months later than originally expected).

B. AETR Group of Experts

11. The secretariat provided an update on the work of the AETR Group of Experts from two sessions (27 April 2015 and 26 October 2015). In particular, the secretariat informed SC.1 about the discussion related to the work being carried out by the European Union on elaboration of a technical annex to the European Union's regulations concerning technical specifications for smart, second generation digital tachographs (as per EU Regulation 165/2014). The secretariat informed SC.1 about the invitation by the Group of Experts to the European Commission to provide a presentation - at the next session - covering possible transition mechanisms for introducing the "smart, second generation" digital tachographs (related to tachographs maintenance and purchases of vehicles in the EU area by individuals from non-EU AETR Contracting Parties) as well as any plans to make amendment proposals to embed legal provisions on the "smart, second generation" tachographs into the AETR Agreement.

V. European Agreement on Main International Traffic Arteries (AGR) (agenda item 4)

A. Status of the Agreement

12. The secretariat informed SC.1 that there have been no changes to the status of the AGR Agreement. Currently, the Agreement has 37 Contracting Parties.

B. Amendments to the Agreement

13. At its 109th session, SC.1 adopted amendment proposals to incorporate selected “e-mobility” issues into the AGR Agreement. The secretariat informed SC.1 that the amendment proposal was accepted by all Contracting Parties and that the amendment will enter into force on 25 November 2015 (C.N.468.2015.TREATIES-XI.B.28). Germany requested the secretariat to prepare a consolidated version of the AGR agreement, incorporating all amendments adopted to-date and to make this document publically available in the first half of 2016. Once this is accomplished, the secretariat will inform UNECE member States accordingly.

VI. Trans-European North-South Motorway (TEM) Project (agenda item 5)

14. The secretariat informed SC.1 about the status of the TEM project. Detailed information on the activities undertaken as well as project documents are available on the project’s website.

VII. Convention on the Contract for the International Carriage of Goods by Road (CMR) (agenda item 6)

A. Status of the Convention

15. The secretariat informed SC.1 that there have been no changes to the status of the Convention. Currently, the Convention has 55 Contracting Parties.

B. Protocol to the Convention on the Contract for the International Carriage of Goods by Road (CMR)

16. The secretariat informed SC.1 that there have been no changes to the status of the Protocol to the Convention. Currently, the Protocol has 42 Contracting Parties.

C. Additional Protocol to the CMR concerning the Electronic Consignment Note

17. The secretariat informed SC.1 that there have been no changes to the status of the Additional Protocol to the Convention. Currently, the Additional Protocol has nine Contracting Parties.

VIII. Facilitation of international road transport (agenda item 7)

A. International Motor Insurance System (Green Card)

18. SC.1 was informed by the representatives (President and Secretary-General) of the Council of Bureaux (CoB) about recent developments in the “Green Card system.” ECE/TRANS/SC.1/2015/1 provides a comprehensive overview of CoB activities in 2015.

B. Proposal for a global multilateral agreement on the international regular transport of passengers by coach and bus (OmniBUS)

19. The secretariat provided an update on the work related to completion of the “Proposal for a global multilateral agreement on the international regular transport of passengers by coach and bus (OmniBUS)”. The delegate of Belgium reminded SC.1 that the European Union member States are obliged to refrain from participating in these discussions.

20. SC.1 discussed the draft Agreement, made several minor changes and requested the secretariat to reflect these changes in the revised version of ECE/TRANS/SC.1/2015/3.

21. Furthermore, the compatibility of the three language versions be verified. To this end, SC.1 requested the secretariat return ECE/TRANS/SC.1/2015/3 to UNOG Translation Services.

22. SC.1 did not reach agreement on Article 25 and Annex 6, point 10 on the eligibility of regional economic integration organizations which made it impossible to finalize the draft Agreement. The Working Party, upon the consent of the delegate of the Government of the Netherlands, invited Government of the Netherlands to place the issue of EU participation in the OmniBUS discussions on the agenda of the forthcoming Dutch Presidency of the European Union. Failing this approach, SC.1 agreed, that the Government of Switzerland will raise this issue on the agenda of Inland Transport Committee session.

C. Quantitative restrictions imposed on international road transport of goods

23. At the last session, SC.1 had continued discussions on a modelling study undertaken by an Istanbul-based university which estimated that Turkey had sustained large financial losses due to quotas and had invited all those who were interested to continue to work on estimating effects of quotas on road transport as well as to communicate the adverse effects of quotas on international trade. In this context, SC.1 had invited the European Commission to report on the study which it has undertaken on road transport quotas at the current session. At the current session, SC.1 renewed its invitation to the European Commission to report at the 2016 session on the impact assessment study of an agreement on road transport between Turkey and the European Union.

D. The relationship between the origin of goods and transport operations

24. At the 109th session, the Polish delegation had updated SC.1 on developments on Informal document No. 4 (October 2013) which described the issue of control of bilateral transport operations of goods by authorities of some countries outside the EU that, in the opinion of the Polish delegation, incorrectly classify these transport operations as third-country transport operations. As there were divergent views among the SC.1 experts, the

Polish Government had been requested to submit a document at the current session which analyses the issue within the legal framework of international legislation related to road transport. This document was presented and discussed (Informal document No. 1 (October 2015)).

25. Following that discussion and referring to transport operations only, carried out by road transport hauliers, SC.1 (except Turkey) confirmed the following basic rule: place of loading the cargo and unloading it at the place of delivery, as indicated in the CMR Convention (Articles, 5 and 6 point d), determines the type of road transport operation. SC.1 also confirmed that for the purpose of determining the type of road transport operation, Revised Consolidated Resolution on the Facilitation of International Road Transport (RE.4) (TRANS/SC.1/2002/4/Rev.4) is applicable. Turkey stated that the CMR Convention makes no reference to the type of road transport operation and that the CMR consignment note is not the only document that determines the type of transport operation.

26. Turkey also noted that not all UNECE member States were present at the session.

27. Ukraine proposed to create an informal expert group to reflect on Revised Consolidated Resolution on the Facilitation of International Road Transport (RE.4) dated 30 April 2004. SC.1 agreed to create such an informal expert group. In this context, Germany proposed to explore elaborating a legal document which would make it possible to establish a definition of the bilateral transport operation in the context of the CMR Convention.

IX. Safety at Level Crossings Group of Experts (agenda item 8)

28. The secretariat updated SC.1 about the work of the Group of Experts on Improving Safety at Level Crossings. The duration of the Group of Experts had been extended until 31 December 2016. SC.1 took note of the information provided and invited the Chair of the Group of Experts to make a presentation to SC.1 at its next session on the final report or alternatively to summarize the progress to-date.

X. Revision of SC.1 terms of reference and rules of procedure (agenda item 9)

29. SC.1 considered ECE/TRANS/SC.1/2015/2, which contains a first draft of the revised version of its terms of reference and rules of procedure. It decided that the terms of reference and rules of procedures should be amended by appropriately updating the existing version. To this end, SC.1 decided to establish an informal group to make a proposal at the future session. Belgium and Germany volunteered to become members of the informal group.

XI. Programme of work and biennial evaluation (agenda item 10)

30. In accordance with the decision of the Inland Transport Committee to review its programme of work every two years, SC.1 reviewed and adopted with a minor modification its programme of work for 2016-2017 (ECE/TRANS/SC.1/2015/4). SC.1 requested the secretariat to submit the revised ECE/TRANS/SC.1/2015/4 to ITC and to table the revised document ECE/TRANS/SC.1/2015/4/Rev.1 for “formal” approval at the next session. SC.1 further adopted without any modification its programme of work for 2016-2020 and requested the secretariat to submit it to ITC (ECE/TRANS/SC.1/2015/5).

XII. Other business (agenda item 11)

31. There were no issues raised under this agenda item.

XIII. Date of next session (agenda item 12)

32. The Working Party was informed that the secretariat had scheduled the 111th session for 25–26 October 2016.

XIV. Adoption of the report (agenda item 13)

33. The Working Party adopted the report of its 110th session.
