



Economic Commission for Europe**Inland Transport Committee****Eighty-third session**

Geneva, 23–26 February 2021

Item 5 (a) of the provisional agenda

Governance issues and business critical decisions for the ITC and its subsidiary bodies: Decisions on subsidiary bodies and on the structure of the Committee**Decisions on subsidiary bodies and on the structure of the Committee****Note by the secretariat****I. Decisions on Working Parties**

1. The Committee is **invited to adopt** the revised Terms of Reference (ToRs) of the Working Party on Rail Transport (SC.2), as requested by SC.2 (ECE/TRANS/SC.2/234). The revised ToRs, as contained in **Annex I** to this document, have been prepared in line with the Inland Transport Committee (ITC) Strategy to 2030.

II. Decisions on Groups of Experts

2. The Committee **may wish to emphasize** the importance of Groups of Experts as efficient and effective platforms for the delivery of its mandates, while **noting** that they are established and function according to the Guidelines for the establishment and functioning of Teams of Specialists within UNECE (ECE/EX/2/Rev.1). In this regard, the Committee **may wish to inform all interested stakeholders**, that establishing or extending the mandates of Groups of Experts supervised by the ITC or its subsidiary bodies (supervising bodies) requires the Committee's positive decision, which is then submitted to EXCOM for approval.

A. Decisions on establishment of new Groups of Experts**1. New Group of Experts tasked with drafting a new legal instrument on international rail passenger hubs**

3. The Committee may wish to **approve the establishment** of a new Group of Experts tasked with drafting a new legal instrument on international rail passenger hubs, as requested by SC.2 (ECE/TRANS/SC.2/234). The ToRs of the new Group of Experts are contained in **Annex II of this document**.



2. New Group of Experts tasked with drafting a new legal instrument on the use of automated vehicles in road traffic

4. The Committee may recall that at its eighty-second session it had welcomed the initiative of WP.1 on the need to establish a new legal instrument on the use of automated vehicles in road traffic and, to accelerate the procedures, authorized its Bureau to review and approve the request for the establishment of a new Group of Experts, after the approval of its ToRs by WP.1 (ECE/TRANS/294, para. 54).

5. The ToRs of the new Group of Experts were adopted by WP.1 at its eighty-first session (ECE/TRANS/WP.1/173, para. 27), as contained in ECE/TRANS/WP.1/2020/2/Rev.1. They are reproduced in **Annex III** to this document with the following technical adjustment: paras. 3 and 9 of the adopted ToRs use the term “parent body”, which is technically adjusted to “supervising body”, in order to align it with ECE policy.

6. The Bureau, **recalling** the decision of the ITC plenary authorizing it to review and approve the request for establishment of a new Group of Experts on drafting a new legal instrument on the use of automated vehicles in traffic, after the adoption of its ToRs by its supervising body (WP.1), and **noting** that the ToRs of the new Group were adopted but only in English, **decided to recommend to the Committee to approve** the establishment of the new Group on the basis of the ToRs reproduced in **Annex III** to this document, and **requested** the secretariat to arrange for their timely submission to the 83rd annual session of the ITC translated in the three official ECE languages, with the following considerations:

- This Group of Experts is not to replace existing informal groups working on the matter under other ITC working parties.
- It is critical for this Group to integrate views and inputs from NGOs in its deliberations.

7. The Committee **will be invited to approve** the establishment of a new Group of Experts tasked with drafting a new legal instrument on the use of automated vehicles in road traffic, as requested by WP.1 (ECE/TRANS/WP.1/173, para. 27; ECE/TRANS/WP.1/2020/2/Rev.1; and ECE/TRANS/2021/7, Annex III, Decision No. 16). The Terms of Reference of the new Group of Experts are contained in **Annex III of this document**.

B. Decisions on extension of mandates of Groups of Experts

8. The Committee **will be invited to approve** the extension of the mandates of the following Groups of Experts:

- the Group of Experts on Road Signs and Signals to 31 December 2022, as requested by WP.1 (ECE/TRANS/WP.1/173, para. 31; and ECE/TRANS/2021/7, Annex III, Decision No. 17) to allow the Group to complete the work on the “additional” road signs i.e., the signs which could be considered to be part of the 1968 Convention in the future.
- the Group of Experts on the European Agreement concerning the work of crews of vehicles engaged in international road transport (AETR) until the end of June 2023, as requested by SC.1 (ECE/TRANS/SC.1/414, para. 8).
- the Group of Experts on Benchmarking Transport Infrastructure Construction Costs for one more year, as requested by WP.5 (ECE/TRANS/WP.5/68, para. 34) to continue and revamp its data collection efforts across all modes resulting in a more data rich final report by 2021.

Annex I

Revised Terms of Reference of the Working Party on Rail Transport¹

1. The Working Party on Rail Transport will act within the framework of the policies of the United Nations and the Economic Commission for Europe (hereafter UNECE) and under the general supervision of the Inland Transport Committee (hereafter ITC) and in conformity with the Terms of Reference of UNECE (E/ECE/778/Rev.5).

2. SC.2 will operate in accordance with the Guidelines for the establishment and functioning of Working Parties within UNECE as approved by the UNECE Executive Committee at its fourth meeting on 14 July 2006 (ECE/EX/1). These guidelines refer to its status and characteristics, including the review of its mandate and extension every five years, its membership and officers, its methods of work and its secretariat provided by the UNECE Sustainable Transport Division.

3. The activities identified below are in line with the objective of the UNECE sustainable transport subprogramme to facilitate the international movement of persons and goods by inland transport modes and improve safety, environmental protection, energy efficiency and security in the transport sector to levels that contribute effectively to sustainable transport. They are also in line with the ITC Strategy to 2030 which identified the following four pillars where it should enhance its role going forward:

- **Pillar A: The UN Platform for regional and global inland transport conventions.** By strengthening its role as the UN platform of inland transport conventions to all UN Member States and by remaining at the forefront of global efforts to curb the road safety crisis, through its 360° approach to road safety, cut emissions by setting and promoting its vehicle standards, and reduce cross-border barriers with its large set of facilitation conventions.
- **Pillar B: The UN Platform for supporting new technologies and innovations in inland transport.** By ensuring that (i) its regulatory functions are keeping pace with cutting-edge **technologies** driving transport innovation - especially in the areas of Intelligent Transport Systems, autonomous vehicles and digitalization - thus improving traffic safety, environmental performance, energy efficiency, inland transport security and efficient service provision in the transport sector, (ii) the different amendment processes for the different conventions do not cause fragmentation, and (iii) the dangers of stifling progress due to too early regulation are avoided.
- **Pillar C: The UN Platform for regional, interregional and global inland transport policy dialogues.** By providing a platform for policy dialogue to review emerging challenges in **inland** transport, as well as proposals for improving infrastructure and operation at its annual session.
- **Pillar D: The UN Platform for promoting sustainable regional and interregional inland transport connectivity and mobility.** By providing a comprehensive, harmonized regulatory framework, as appropriate, and institutional reference point supporting international connectivity, developing new or building on existing initiatives, agreements, or corridors, as needed.

4. The main activities identified going forward are:

(a) update and extend the geographical scope of the European Agreement on Main International Railway Lines (AGC) network, increase the number of contracting parties to the AGC agreement, consider the AGC Agreement with a view to possibly implementing and, whenever feasible, improving existing standards and operational parameters; upgrading review the coherence between the AGC parameters and infrastructure standards established within the European Union (EU), the Eurasian Economic Union and other countries within the ECE region with a view to harmonizing them as appropriate. (**Pillar A**);

¹ Reproduced and renumbered from ECE/TRANS/SC.2/2020/1

(b) identify the need for new legal instruments in the rail sector for passenger and freight aimed at encouraging the further shift to rail as the most sustainable mode of transport and meeting the needs of the region's economies following the paradigm shift set in motion in the transport sector as a result of the COVID-19 epidemic. **(Pillar A)**;

(c) develop, improve and maintain constantly updated online tools, such as the web tool developed to monitor the AGC and the European Agreement on Important International Combined Transport Lines and Related Installations (AGTC) network and its infrastructure standards and the Rail Security Observatory **(Pillar B)**;

(d) improve intermodal coordination and integration of railway with other transport modes with a view to contributing to the development of pan-European sustainable transport systems taking into account the interrelationship of the UNECE E-Networks and in close cooperation with the Working Party on Intermodal Transport and Logistics (WP.24). **(Pillar D)**;

(e) foster the development of green transport through the review of technological advancements in rail transport aimed at increasing the efficiency of transport operations. **(Pillar B)**;

(f) assist in the development of harmonized safety approaches across the sector through constant discussions on rail safety issues. **(Pillar C)**;

(g) drive the development of a secure rail system through the exchange of best practice in this area. **(Pillar D)**;

(h) follow-up the developments of the UNECE Trans European Railway (TER) Project, and explore further interaction between TER activities and that of SC.2; **(Pillar D)**;

(i) evaluate, study and review Euro-Asian rail traffic trends, developments and opportunities and explore possibilities for further contribution to and interaction with the Euro-Asian Transport linkages (EATL) project and the preparation of relevant conclusions and recommendations in collaboration with the Working Party on Trends and Economics; **(Pillar C)**;

(j) facilitate international rail transport in the pan-European region through improved border crossing procedures and harmonization of technical specifications of different railway systems and their operations at borders in light of cooperation in the Contact Group between OSJD and the European Union Agency for Railways; **(Pillar A)**;

(k) support the implementation of expert group programmes and task forces as established by the Working Party and the Inland Transport Committee on technical and legal rail matters and review rail market trends, needs and challenges through the establishment of ad hoc expert groups and the elaboration of studies, as appropriate; **(Pillar A)**;

(l) monitor developments on the pan-European Rail Transport Corridors in cooperation with the European Commission; **(Pillar C)**;

(m) review general trends in rail transport developments and rail transport policy, analyze specific rail transport economic issues, assist in the collection, compilation and dissemination of rail transport statistics, in cooperation with the Working Party on Transport Statistics (WP.6), other governmental and non-governmental organizations, expert groups and task forces and prepare reports, reviews and publications concerning rail transport development and best practices; **(Pillar C)**.

5. SC.2 will promote and provide technical cooperation and capacity-building in the field of rail transport.

6. SC.2 will encourage participation in its activities by fostering cooperation and collaboration with the European Commission, intergovernmental and non-governmental organizations and other United Nations regional commissions and organizations or bodies of the United Nations system.

7. SC.2 will collaborate closely with other subsidiary bodies of ITC and other UNECE body on matters of common interest.

Annex II

Terms of reference of the Group of Experts on “International railway passenger hubs”¹

Scope of issues and achievements expected

1. The Group of Experts will focus its work on the following issues:
 - (a) Identify the technical and service parameters necessary for the definition of an “International railway passenger hub or hubs”;
 - (b) Identify which stations on the AGC network should be defined as an “International railway passenger hub” and its type as appropriate;
 - (c) Identify what legal instrument or tool should be used to define and implement these “International railway passenger hubs” and draft the necessary legal provisions;
 - (d) Analyse the legal framework governing international passenger transportation in order to identify restrictions hindering the development of international passenger transport by rail in East – West traffic and prepare recommendations for its improvement;
 - (e) Prepare a document (recommendations, joint action plan, ECE ITC resolution) on measures to support international rail carriers in the context of the crisis caused by the pandemic of the new coronavirus infection COVID-19;
 - (f) Propose a way forward in the form of a report to the Working Party on Rail Transport for consideration.

Methods of Work

2. The Group of Experts should take into consideration legal instruments, standards and guidelines already in place for the identification of different station types by the European Union Agency for Railways, OSJD, UIC, rail operators and infrastructure managers as well as industry experts. It should also look at good practice examples from other sectors with a particular focus on the aviation sector.
3. The Group of Experts will be established and function in accordance with the ECE Guidelines for teams of specialists approved by the Executive Committee of ECE on 31 March 2010 (ECE/EX/2/Rev.1). At its first meeting, the Group of Experts will adopt a work plan, clearly defining its objectives and activities, including a time schedule for their implementation.
4. The Group of Experts is expected to meet twice in 2021, at least twice in 2022 and at least twice in 2023 at the Palais des Nations in Geneva (when necessary also in hybrid form), before concluding its activities with the transmission of a report to the Working Party on Rail Transport at its seventy-seventh session (November 2023, Geneva).
5. Preparation of documents (at least 4 per session), translation of documents in the official languages of ECE and simultaneous interpretation of its sessions in English, French, and Russian shall be provided by ECE for all sessions held at the Palais des Nations in Geneva.
6. Participation in the Group of Experts is open to all concerned United Nations member countries and experts. Concerned intergovernmental and non-governmental organizations, as well as concerned railway administration authorities and companies, passenger associations and related entities are invited to participate and provide expert advice in compliance with United Nations rules and practices.

Secretariat

7. ECE will provide secretariat services for the Group of Experts.

¹ Reproduced from the Annex of ECE/TRANS/SC.2/2020/3/Rev.1.

Annex III

Terms of reference of the Group of Experts on drafting a new legal instrument on the use of automated vehicles in traffic¹

1. This Group of Experts is established to prepare a draft new legal instrument on the use of automated vehicles in domestic and international traffic.
2. The Group of Experts is established as per the “Guidelines for the establishment and functioning of teams of specialists” (ECE/EX/2/Rev.1).
3. The Global Forum for Road Traffic Safety (WP.1) is the Group’s ~~parent~~ **supervising** body. The ECE secretariat will provide secretariat services as per the relevant ECE rules and regulations. The working languages of the Group shall be English, French, and Russian. This is subject, however, to the provision of UNOG Conference Management services, such as document processing and simultaneous translation.
4. The main output of the Group of Experts is to draft a new legal instrument which is expected to complement the 1949 and 1968 Conventions on Road Traffic. It will include, in addition to the typical sections on definitions and final clauses, a set of legal provisions for the safe deployment of automated vehicles in international traffic. These provisions will specifically aim to ensure road safety, in particular the safety of vulnerable road users.
5. The Group of Experts will have a two-year duration (with a possibility of extension), starting as of 1 July 2021. The Group’s rules of procedure are contained in the “Guidelines for the establishment and functioning of teams of specialists” (ECE/EX/2/Rev.1) as well as in other applicable ECE documents.
6. The Group of Experts is established without the need for additional resources. Support work will be provided within the existing capacities of the ECE secretariat. UNOG resources will be used for simultaneous interpretation, document translation, and conference services.
7. The Group of Experts shall periodically consult with the Global Forum for Road Traffic Safety (WP.1). The number of formal consultations will not be fewer than two per year (coinciding with the regular WP.1 sessions).
8. The Group will hold at least two formal plenary meetings per year at the ECE premises in Geneva. In between the formal sessions, the Group may choose its own modus operandi.
9. The Group of Experts will – upon completion of its task - submit the complete draft new legal instrument to its ~~parent~~ **supervising** body for consideration and decision.
10. In conformity with the “Guidelines for the establishment and functioning of teams of specialists” (ECE/EX/2/Rev.1), participation in the work of the Group will usually be limited to representatives officially nominated by the governments of the Contracting Parties to the 1968 Convention on Road Traffic and those of the 1949 Convention on Road Traffic.
11. It is highly recommended that the representatives nominated as per paragraph 10 have professional experience in road safety, traffic law, and/or transport policy. Nominations of representatives with academic and/or research experience in road safety, traffic law, and/or transport policy are also suitable. In addition, governments may consider nominating professionals whose expertise complements the qualifying expertise mentioned in this paragraph.
12. The Chair of this Group of Experts may, on occasion, invite representatives of any intergovernmental organizations, academia, or research institutes, to participate in a consultative capacity in relation to any matter of particular concern to that entity.

¹ Technically adjusted from the Annex to ECE/TRANS/WP.1/2020/2/Rev.1. Technical adjustments reflected with strikethrough and bold.