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**Economic Commission for Europe****Inland Transport Committee****Working Party on Transport Trends and Economics****Thirty-fourth session**

Geneva, 15–17 September 2021

Item 8 (a) of the provisional agenda

**Review and monitoring of emerging issues and sustainable development goals:****Transport Trends and Challenges in the road, rail and inland waterway sectors****Taking stock of the resilience of the inland transport sector to pandemics and international emergency situations – the way ahead****Revision**

Note by the secretariat

**I. Mandate and background**

1. At its eighty-second annual session (Geneva, 25–28 February 2020), the Inland Transport Committee (ITC) requested the secretariat, in close cooperation with the Bureau, with the support of interested governments and key stakeholders to conduct necessary research on provisions in existing frameworks and new needed areas of work to promote cooperation between transport authorities in the field of counteracting the effects of emergency situations of cross-country nature, including epidemics and pandemics, and present this information to the Working Party on Transport Trends and Economics (WP.5) for consideration of further steps and for inclusion in its programme of work. In response to this tasking and as the pandemic further evolved, the secretariat established an Informal Multidisciplinary Advisory Group on Transport Responses to the COVID-19 Crisis which held its first virtual meeting on 26 June 2020 and its second on 8 September 2020. The first version of this document ECE/TRANS/WP.5/2020/10 has been prepared by the WP.5 secretariat during the period March-June 2020 and was subsequently presented to the Working Party at its thirty-third session in September 2020 for guidance and feedback. As requested by the Working Party, the document was then submitted to the ITC Bureau at its session in November 2020 for additional comments and inputs before being submitted as ECE/TRANS/2021/4 to the ITC at its eighty-third session. On that occasion, the Committee decided to prolong the work of the Advisory Group under WP.5 auspices and to enhance cooperation between working parties, and between the ITC and other specialized agencies of the United Nations System, including IMO and ICAO contributing to a better coordinated delivery of programme of work and increased interoperability. In follow-up to this ITC mandate, the WP.5 Chair hosted on 6 June 2021 a round of informal consultations on inland transport sector preparedness for pandemics gathering the Chairs and/ or Vice Chairs of the following mode-specific Working Parties: WP.24, SC.1, SC.3 and WP.30. These

deliberations then fed into the preparations of the third session of the Multidisciplinary Advisory Group on Transport Responses to COVID-19 (29 June 2021, 14:00 – 17:00) this time held with participation of IMO and ICAO and focusing on the identification of commonalities and inter-sectoral lessons learned across the maritime, aviation and inland transport sub-sectors. The present document issued as ECE/TRANS/WP.5/2020/10/Rev1 has thus gone through extensive rounds of review and additional inputs, it includes the most up-to-date information in relation to transport sector preparedness to the current and possible future pandemics and international emergencies.

## **II. Introduction**

### **The role of transport in COVID-19 pandemic development, spread and containment**

#### **1. Patchwork of uncoordinated actions**

2. In the wake of the COVID-19 pandemic, many Governments around the world closed their borders to non-citizens and non-residents (e.g. through visa issuance bans or mandatory health cards/ health certificates) or imposed on those entering extended periods of self-isolation in order to limit the spread of the virus while implementing lockdowns, strict social distancing and contact tracing measures. In an initial reaction, many Governments closed their land, air and sea borders to non-essential traffic. These measures had as a result that tens of thousands of trucks got stuck at borders not only across the ECE region but across the entire globe which had a significant impact on the delivery of essential goods, such as foods, pharmaceuticals, medical supplies and fuels, especially for the economically most vulnerable countries which often rely heavily on imports to cover their basic needs. Countries carried out controls for passengers, drivers and crews (mainly temperature control) upon arrival but no controls were made before departures. Therefore, one infected passenger/ driver or crew member could easily become a super spreader and spread the disease to many others during her/his journey on board of a plane, ship, train, truck or bus or during transit time in terminals. Finally, the widely spread virus quickly forced countries to lock down cities and even entire regions or nations at a later stage. The lessons learned from the immediate and short-term measures taken by Governments show that the transport sector was not prepared to operate in the conditions resulting from the pandemic. Implementing policies like stay@home, which created an increased need for consumption and a 360 degree turn towards e-business, cannot be accompanied by closing borders or imposing a series of restrictions to truck drivers. This combination created a disruption of international supply chains and therefore temporarily shortages in food, essential supplies and medicines. Also, the imposing of different measures, restrictions and policies by Governments at different moments in time brought to light the absence of international coordination in the inland transport sector of an agreed protocol to be implemented during pandemics.

#### **2. Transport sector and broader economic impact**

3. These often-excessive restrictions to cross-border and transit freight transport further aggravated the economic and social impacts of the pandemic shock to the global economy. From the latest WTO figures, North America, the Middle East, Africa and Europe were the most affected with exports volumes declining by 8.5 per cent, 8.2 per cent, 8.1 per cent, and 8.0 per cent respectively. Asia was the least affected with exports volumes growing by 0.3 per cent. In 2021, the Middle East and Europe are expected to experience the most robust rebounds with 12.4 per cent and 8.3 per cent increases in export volumes – more than their declines. Asia is also expected to experience growth of 8.4 per cent. While merchandise trade fell in 2020 by 7 per cent in nominal dollar terms, the decline differed according to the type of good. Preliminary figures suggest that merchandise trade in agricultural products saw the least reduction due to the need for global food supply and only declined by 5 per cent in the Q2 of 2020. Trade in fuels and mining products on the other hand, plunged by as much as 38 per cent in Q2 of 2020 as global oil demand and prices collapsed. On the other hand, medical goods, such as personal protective equipment, ventilators, thermometers, sanitizers increased by 16 per cent over 2020, reaching US\$ 1,139 billion in value. Services trade was not spared

by the pandemic. In fact, commercial services exports declined by 20 per cent, this is a much greater drop than the 9 per cent decline experienced during the 2008 financial crisis. This is likely due to travel restrictions introduced to halt the spread of the virus. According to WTO there is a real risk that the global economy will be permanently reshaped by the pandemic. One of the biggest threats is the reversal in the expansion of Global Value Chains through efforts by companies in developed countries to repatriate and reshore certain manufacturing and services away from the developing world to make value chains less vulnerable to external shocks.

The inland transport sector, an important economic sector contributing typically to around 5 per cent to 10 per cent of GDP and a major employer in many countries has been hit hard too. In the inland waterway sector, freight transport volumes on the Danube in the second quarter of 2020 decreased drastically and the sector faced a complete interruption of passenger cruises, passenger lines and daily trips on the Danube and its tributaries. Railway freight transportation on the other hand suffered less possibly due to a number of distinctive comparative advantages, such as use of less manpower over long distance (unaccompanied service), and no border crossing for crews, at least in the ECE region, the road freight transport sector on the contrary was hit hard. According to International Road Transport Union (IRU) data, revenue decreased by 40 per cent during the 2020 confinement periods (in comparison to 2019 figures). Many transport operations including transport of automotive parts, clothing, flowers and construction materials almost came to a complete stand still during confinement. In 2020, the road freight transport industry annual revenue losses amounted to 643 Billion USD. In 2021 the losses are predicted to hit 347 Billion USD. The road passenger transport industry has had to cope with a revenue loss of 500 Billion USD in 2020 with additional losses expected this year. The crisis also resulted in social impacts where professionals including truck drivers, customs and border officers often got stuck for days in a row at border clearance posts, exposed to possible COVID-19 contagion given the often precarious infrastructure and sanitary situation at many land border crossings across the region.

### **3. Vulnerabilities of international transport systems revealed**

4. In less than no time the extreme vulnerability of international transport systems to outbreaks of communicable diseases became very apparent. Also in the post-COVID-19 era however the world will likely remain extensively interconnected and will further rely on seamless and efficient transport and logistics systems. As communicable diseases have occurred repeatedly in the past two decades, like H1N1, H5N1, MERS, SARS, Ebola, and will likely continue to manifest themselves in the future, a global initiative is needed to enhance international cooperation and coordination among inland transport authorities and in doing so strengthen the preparedness and resilience of countries to possible future outbreaks.

## **III. ECE immediate responses**

### **A. Observatory on Border Crossing Status due to COVID-19**

5. In order to help reduce economic and social impacts and keep vital supply operational, the ECE in immediate response to the pandemic created an online “Observatory on Border Crossings Status due to COVID-19” which provides until today a real-time overview of up-to-date information regarding freight border crossing limitations globally. The Observatory became the only source worldwide, inside and outside the United Nations system, providing daily updates on the status of inland transport border crossing. During the period 18 March – 15 September 2020, the Observatory webpage had 106,624 unique page views from 208 States / regions, with a peak of more than 2,000 unique page views per day in April and May 2020. Updated information was collected and provided for 174 United Nations Member States. Established by the ECE Sustainable Transport Division, the Observatory was quickly joined by other United Nations Regional Commission, the Economic Commission for Africa (ECA), the Economic Commission for Latin America and the Caribbean (ECLAC), the Economic and Social Commission for Asia and the Pacific (ESCAP) and the Economic and

Social Commission for Western Asia (ESCWA), as well as by the International Civil Aviation Organization (ICAO), the World Customs Organization (WCO), the International Transport Forum (ITF), the International Road Transport Union (IRU), the International Automobile Federation (FIA), the Economic Cooperation Organization (ECO) and the International Union of Railways (UIC). The platform which is still operational and actively used also provides information for post-COVID-19 studies and cooperation frameworks. It is available here: [wiki.unece.org/display/CTRBSBC/Observatory+on+Border+Crossings+Status+due+to+COVID-19+Home](https://wiki.unece.org/display/CTRBSBC/Observatory+on+Border+Crossings+Status+due+to+COVID-19+Home).

## **B. Establishment of an Informal Multidisciplinary Advisory Group on Transport Responses to the COVID-19 Crisis**

6. In response to the ITC mandate to prepare the initial working document (issued as ECE/TRANS/WP.5/2020/10), the WP.5 secretariat established an Informal Multidisciplinary Advisory Group on Transport Responses to the COVID-19 Crisis which has so far held virtual sessions on 9 June and 8 September 2020 as well as on 29 June 2021.2020. These events gathered experts and officials from ministries of transport, economy, health, customs committees and other relevant agencies as well as road and railway transport operators, shipping companies and logistics providers from many countries across the ECE region. The meetings, which were typically attended by representatives of the European Commission, the World Health Organization (WHO), the World Trade Organization (WTO) and the World Customs Organization (WCO) and offered a platform to take stock of the challenges experienced by the inland transport sector in view of the pandemic, discuss possible issues in re-opening of cross-border traffic and exchange views on possible recommendations to increase transport authorities preparedness for and resilience to future outbreaks. The third Advisory Group meeting benefited from the participation of IMO and ICAO and focused on the identification of commonalities and inter-sectoral lessons learned across the maritime, aviation and inland transport sub-sectors.

7. The deliberations of all three meetings held so far are reflected in the current document for further discussion at the forthcoming thirty-fourth session of WP.5 (15-17 September 2021). The advisory group webpage with all presentations / interventions and contributions uploaded is available here, for June 2020: [www.unece.org/index.php?id=54291](https://www.unece.org/index.php?id=54291) (June 2020 session), Here for September 2020: [www.unece.org/trans/areas-of-work/trends-and-economics/activities/working-party-on-transport-trends-and-economics-wp5/events/2nd-informal-multidisciplinary-advisory-group-meeting-on-transport-responses-to-the-covid-19-crisis.html](https://www.unece.org/trans/areas-of-work/trends-and-economics/activities/working-party-on-transport-trends-and-economics-wp5/events/2nd-informal-multidisciplinary-advisory-group-meeting-on-transport-responses-to-the-covid-19-crisis.html) and here for June 2021 <https://www.unece.org/transport/events/informal-multidisciplinary-advisory-group-meeting-transport-policy-responses-covid>.

## **C. Intermodal transport and logistics**

8. In order to understand the impact of COVID-19 on intermodal transport and logistics, the Chair and Vice-Chair of the Working Party on Intermodal Transport and Logistics (WP.24) with support of the WP.24 secretariat held a virtual Friends of Chair meeting to discuss those impacts and lessons learned for the industry.

9. The meeting was held on 26 June 2020. The programme of the meeting, and its outcomes are reflected in ECE/TRANS/WP.24/2020/5. The presentations from the meeting can be found at: [www.unece.org/trans/wp24/wp24-themes/2020\\_virtualmeeting\\_covid19.html](https://www.unece.org/trans/wp24/wp24-themes/2020_virtualmeeting_covid19.html). WP.24 continued the discussion on COVID-19 and intermodal transport and logistics at its sixty-third session held on 28–30 October 2020. The discussion focused on the developments and impacts from the evolving pandemic, response measures taken and their assessment as well as prospects for freight transport. WP.24 confirmed the lessons learned exchanged during the Friends of the Chair meeting. It confirmed and called for recovery measures which would create the necessary conditions to increase competitiveness of intermodal transport in particular versus road transport. It warned of unwarranted freight transport subsidies which may distort the transport market and slow down its transition to a more sustainable one. WP.24 recognized that the pandemic has

pushed governments to increase the importance they give to the digitalisation of transport documents. WP.24 underscores that digitalisation should be an integral part of the very much needed transport optimization process in both operations and infrastructure. WP.24 endorsed, during its 63rd session, a Handbook for national master plans for freight transport and logistics which, among others, contains a wealth of information on how to develop freight transport and logistics. This information is very relevant to support the post-Covid recovery action in the sector. WP.24 also recognized that the pandemic may bring about more diversification and local sourcing for supply chains. Such a development may have a positive impact on freight transport in a medium term. Bringing these considerations together, in order to support a further development of intermodal freight transport – a development very much needed to continue freight transport system transition to a more sustainable one, as well as one which would be more resilient to emergency situations such as pandemics – WP.24 approved a resolution on strengthening intermodal freight transport. This resolution was endorsed by the eighty-third session of the Inland Transport Committee in February 2021 and is available in Annex I of this report. It mandates WP.24 to:

- (a) Assist strengthening the implementation of the European Agreement on Important International Combined Transport Lines and Related Installations (AGTC Agreement) and Protocol on Combined Transport on Inland Waterways to AGTC
- (b) Consider designation of Core intermodal network in both instruments
- (c) Work on data interoperability and consider AGTC Agreement role in it
- (d) Consider voluntary targets for intermodal transport market share
- (e) Work on automation in intermodal transport
- (f) Support collaborative networks
- (g) Support intermodal transport documents digitalization.

## **D. Dangerous goods transportation**

10. The transport of dangerous goods is governed by national and international regulations based on the United Nations Recommendations for the Transport of Dangerous Goods, Model Regulations. These Model Regulations are prepared by the Subcommittee of Experts on the Transport of Dangerous Goods of the United Nations Economic and Social Council (ECOSOC), which is serviced by ECE. These Recommendations are updated every two years and implemented worldwide in modal regulations such as the European Agreement concerning the International Carriage of Dangerous Goods by Road (ADR) for road transport and the European Agreement concerning the International Carriage of Dangerous Goods by Inland Waterways (ADN) for inland waterways.

11. Due to the impact of COVID-19, the transport of dangerous goods industry has faced unprecedented challenges. Yet, in light of the COVID-19 outbreak, demand for these services has been between five and ten times higher than usual. Among these substances are gases used to provide respiratory assistance to patients developing acute respiratory symptoms. The European Industrial Gases Association (EIGA) for instance has reported that during subsequent waves of the COVID-19 pandemic, its members, which are the primary suppliers of medical gases in the European Region, were facing an unprecedented demand, in particular for medical oxygen. Other products as well, used by or generated in hospitals must be transported with special care, such as:

- Healthcare hazardous substances
- Infectious substances / biological specimens / hospital samples
- Radiopharmaceuticals for nuclear medicine
- Clinical waste, including used surgical instruments transported to central decontamination units.

12. In order to ensure continued safety of operations for transport of these products in Europe harmonized provisions under three international agreements, covering road (ADR),

rail (RID) and inland waterways (ADN) have been agreed upon. These provisions cater, among other aspects, for periodic inspection of vehicles and materials, and regular refresher training sessions for drivers and safety advisers every 5 years.

13. In the course of the pandemic, many ADR Contracting Parties had to cancel or postpone their training programmes of drivers carrying dangerous goods. Drivers receive their ADR certificate only after having followed a complete training course the content of which is defined in ADR and subject to an examination. ADR is regularly up dated and regular training of drivers is a key safety element in the transport of dangerous goods. Therefore, the ADR certificates have a limited validity in time and must be renewed every five years after a refresher training and examination. Because of the COVID-19 pandemic confinement and social distancing measures training sessions were cancelled while the demand for dangerous goods transportation remained high. Although some countries were ready to extend the validity of expired certificates at a national level, they were concerned that this would create challenges in international transport. Competent authorities of ADR Contracting Parties do however have the right to agree directly among themselves to authorize certain transport operations in their territories by temporary derogation from the requirements of ADR, provided that safety is not compromised thereby. This is a clause explicitly included in the agreement. On this basis, the competent authorities in Belgium, France, Germany and Luxembourg initiated discussions with other contracting parties to draft a multilateral agreement that would ensure continuity of service within a legal and institutional framework and with enough guaranties of safety. It was decided at that time to limit the duration of this multilateral agreement M324 until 1 December 2020 with a hope that training sessions would be able to start again soon. At the end of November 2020, most countries signatories to M324 acknowledged that it would remain difficult to organise refresher training sessions for the next few months. Even in countries where a decrease of the epidemic curve could be observed and where the training sessions have resumed, candidates were still facing bottlenecks for their registration. Although online sessions are being considered in some countries for the theoretical part of the training, on-site individual practical exercises on first aid, firefighting and what to do in case of an incident or accident are required and these need to be organised in person. Therefore, after consultation amongst Contracting Parties, Ireland initiated a similar multilateral agreement with a validity period extended until 31 March 2021 and a third one was initiated by Germany in January 2021 with a validity period extended until 30 September 2021, hoping that by then, the training sessions will have resumed normally. Multilateral agreements were also initiated e.g. to allow the extension of the validity of safety adviser certificates (M334 valid until 30 September 2021) or to allow delays in the periodic inspection and test of pressure receptacles for the carriage of gases of Class 2 such as oxygen cylinders (M336 valid until 30 June 2021 and M339 valid until 30 September 2021).

14. The same process was use for rail and inland waterways with similar multilateral agreements initiated and countersigned by ADN contracting parties and by RID member states.

## **E. Inland water transport**

15. In June 2020, an informal meeting of the Working Party on the Standardization of Technical and Safety Requirements in Inland Navigation (SC.3/WP.3) was held to discuss a number of business-critical issues. The participants exchanged information on the impact of the COVID-19 outbreak on inland navigation and exceptional measures applied in the sector. Detailed information was provided by Belarus, Belgium, Croatia, Russian Federation, Slovakia, Ukraine, European Commission, Central Commission for the Navigation of the Rhine (CCNR), Danube Commission (DC), Mosel Commission (MC) and European River-Sea-Transport Union (ERSTU) (Informal document SC.3/WP.3 No. 13 (2020)).

16. Among other issues, the following business-critical issues were noted: (a) the suspension of passenger traffic and river cruises; (b) reduced cargo volumes transported by inland waterways; (c) the impact on cargo operations in ports and the operation of bridges and locks; (d) the validity of vessels' documents, certificates, attestations and other

documents of crews; (e) the replacement of crew members on board vessels; and (f) safety and the health protection of the staff.

17. The meeting allowed to take stock of temporary measures put in place by ECE member States, the European Commission, river commissions and other key actors in response to the COVID-19 outbreak. Inter alia, these included: (a) Temporary measures for the extension and renewal of ship certificates and certificates of crew members; (b) Special procedures to facilitate the replacement of crew members in foreign ports, including special certificates for crews of vessels engaged in international shipping; (c) Multilateral agreements with other interested Contracting Parties to compensate for the cancellation of refresher training sessions for Dangerous Goods Safety Advisers and ADN experts; (d) Procedures for urgent vessel repairs; and (e) Individual protective measures for crews and other staff in the sector and urgent actions in case of infection among the crew members. A complete overview of all measures taken by national Governments, river commissions and other relevant stakeholders in the inland waterway sector in response to the COVID-19 pandemic is available in a recent ECE publication entitled “Intermodal transport in the age of pandemics: practices initiatives and responses”<sup>1</sup> (UNECE, February 2021, pp. 15–17 and pp. 125–134).

## F. Additional ECE initiatives

- The transport statistics team through the Working Party on Transport Statistics (WP.6) has developed a webpage to track, monitor and share key statistics relating to COVID-19 with the aim of providing data for policy makers show-casing the impact of the pandemic on the transport sector: [wiki.unece.org/display/DSOCIOT/Data+Sources+on+Coronavirus+impact+on+transport](https://wiki.unece.org/display/DSOCIOT/Data+Sources+on+Coronavirus+impact+on+transport). This collated (among other things) short-term road traffic accident statistics, which allowed short-term assessments of the road safety impact of decreased traffic volumes on the roads. Many statistical offices needed to quickly quantify COVID-19 impacts on transport systems, using big data sources such as mobile network operator data, and the secretariat organised two webinars with the International Transport Forum to enable the sharing of country practices on this. In parallel with these efforts the secretariat has advanced progress in collecting short-term metro and tram statistics using an automated collection process.
- The Transport Health and Environment Pan-European Programme (THE PEP) initiative co-led by ECE and the World Health Organization (WHO) Europe Region established a task force to develop “Recommendations for Green and Healthy Sustainable Transport”. Bringing together over 50 experts from member States, international institutions, academia, public transport operators and industry experts, the Task Force set up in April 2020 by UNECE under THE PEP has developed a set of key recommendations that member States can implement to support member States in developing policies on how to reset and rebuild their transport sectors after the COVID-19 pandemic is over so as to ensure that more sustainable transport modes are used in the future and that there is not a massive return to the use of the car in cities. The recommendations are part of a policy document looking at the immediate effects of the pandemic and highlighting examples of what countries have done to deal with the crisis by introducing green and healthy mobility solutions. These cover a range of targeted actions aimed at promoting active mobility, increasing the protection of those who travel and increasing road safety. The recommendations were developed along seven key themes:
  - Public space allocation for transport and spatial planning
  - Increasing investment in public transport
  - Encouraging the adoption of e-mobility solutions
  - Introducing mobility management solutions

<sup>1</sup> [https://unece.org/sites/default/files/2021-02/2017694\\_E\\_web.pdf](https://unece.org/sites/default/files/2021-02/2017694_E_web.pdf)

- Facilitating the adoption of innovation and technology
- Supporting active mobility as a sustainable and healthy mode of transport
- Rebuilding the transport system in a fair and inclusive manner

18. The Recommendations have been developed as part of the preparations for the Fifth High-Level Ministerial Meeting of THE PEP to be held on 17-18 May 2021 and hosted by Austria, where the main recommendations summarised above have been included within the Meeting's Vienna Declaration.

19. A dedicated Partnership will be created within THE PEP to assist member States in the implementation of these Recommendations. The publication is available in three languages on the UNECE website: <https://thepep.unece.org/node/823>

20. The ITC at its eighty-third session in February 2021 endorsed a Ministerial Resolution entitled "Enhancing resilient inland transport connectivity in emergency situations: an urgent call for concerted action" (ECE/TRANS/304, Annex I). The adoption of this Ministerial Resolution by ECE Member State signatories and its endorsement by ITC affirmed the unique strengths of the Committee and articulated an urgent call for the contracting parties to take concerted action in the face of international emergencies, in terms relevant to the Committee's mandates. Inter alia, the ITC, through the adoption of this resolution, in para. (h) decided "To invite the working parties and other subsidiary bodies of the Committee to exchange views on inland water, road and rail transportation and traffic during pandemics in order to discover and promote best practices across the region covered by the Economic Commission for Europe" and in para. (i) "To develop practical collaboration and regular exchanges with relevant subsidiary bodies of the World Health Organization and the International Labour Organization, as well as with the Transport, Health and Environment Pan-European Programme, with a view to addressing the health and safety of transport services and of passengers and staff involved in transportation"; Finally, in its para. (k) it decided "To request the secretariat to study the feasibility of establishing a databank on best practices adopted and solutions found in response to emergency situations in the transport sector, based on national measures presented by the transport authorities of the States members of the Economic Commission for Europe".

## **IV. Available international regulatory framework in view of pandemics and cross-border emergencies**

### **A. World Health Organization International Health Regulations and its relevance for inland transport**

21. Back in 2005, in response to the exponential increase in international travel and trade, and emergence and re-emergence of international disease threats and other health risks, 196 countries across the globe have agreed to implement the International Health Regulations (2005) (IHR). This binding instrument of international law entered into force on 15 June 2007. The stated purpose and scope of the IHR are "to prevent, protect against, control and provide a public health response to the international spread of disease in ways that are commensurate with and restricted to public health risks, and which avoid unnecessary interference with international traffic and trade." Because the IHR are not limited to specific diseases, but are applicable to health risks, irrespective of their origin or source, they will follow the evolution of diseases and the factors affecting their emergence and transmission. The IHR also require member States to strengthen core surveillance and response capacities at the primary, intermediate and national level, as well as at designated international ports, airports and ground crossings. They further introduce a series of health documents, including ship sanitation certificates and an international certificate of vaccination or prophylaxis for travellers.



## 1. IHR guidelines – Striking a balance between protecting public health & avoiding unnecessary interference with international transport and trade

- According to IHR Guidelines public health measures that are put in place should be commensurate with and restricted to public health risks, avoiding unnecessary interference with international traffic and trade. As per the travel advisory issued on 29 February 2020, WHO advised against the application of travel or trade restrictions to countries experiencing COVID-19 outbreaks. At the same time, it recognised that in certain circumstances, measures that restrict the movement of people may prove temporarily useful, such as in settings with few international connections and limited response capacities. Travel measures that significantly interfere with international traffic may only be justified at the beginning of an outbreak, as they may allow countries to gain time, even if only a few days, to rapidly implement effective preparedness measures. Such restrictions must be based on a careful risk assessment, be proportionate to the public health risk, be short in duration, and be reconsidered regularly as the situation evolves.
- Points of entry (international ports, airports and land border crossings) are the lowest area of implementation of IHR capacities in the WHO European Region on average. In the context of the COVID-19 pandemic, various guidance documents and online courses have been developed by WHO to strengthen preparedness at these points of entry.
- As of 21 April 2020, the WHO Regional Office for Europe had received 256 reports of additional health measures that significantly interfere with international traffic (i.e. travel and or trade measures) across 53 IHR State Parties. Around 95 per cent of these were travel-related measures, while 5 per cent were trade-related.

## 2. Overview of suggested tools and approaches

22. Temperature screening alone, at exit or entry, is not an effective way to stop international spread, since infected individuals may be in incubation period, may not express apparent symptoms early on in the course of the disease, or may dissimulate fever through the use of antipyretics; in addition, such measures require substantial investments for what may bear little benefits.

23. More effective measures with a focus on risk mapping and management are listed below:

- For crews and passengers:
  - Collecting health declarations (upon exit/entry). Could be collected at departure and shared with transit and destination countries. Passengers and crew may be prevented to travel if information in the declaration shows a risk.
  - Collecting contact information of travellers to allow for contact tracing, route tracking and tracing (including through exit/entry interviews or use of Apps).
  - Use of international certificate of vaccination or prophylaxis for travellers.
- For vehicles, cargo and containers:
  - Emphasis here should be on risk management through route tracking and tracing, issuance of (e-)sanitation certificates (e.g. in the maritime sector the use of ship sanitation certificates). The Ship Sanitation Control Exemption Certificate/Ship Sanitation Control Certificate SSCEC/SSCC are regulated in articles 20 and 39, and Annex 3, of the International Health Regulations (IHR) (2005). Such certificate serves as proof that the ship is free of clear sources of contagion and in some cases is a requirement for permission of entry into port in some jurisdictions. SSCs are issued by competent health authorities in authorized ports, after inspection. Certificates are valid for six months, revocable if evidence of health risks are found, and the ship always remains liable to further inspection.

- It may be worthwhile to explore whether the issuance of sanitation certificates would also be possible for road, rail and inland waterway sectors.

### 3. WHO Guidelines on gradual return to international travel

24. In accordance with guidance provided by WHO on 30 July 2020, return to international travel should be based on a thorough risk assessment, considering the following factors:

- The local epidemiology and transmission pattern;
- The need to prioritize essential travel;
- The impact of national public health and social measures on controlling the outbreaks at points of departure and in destination countries;
- The capacities of the health systems at national and subnational levels, and at points of entry to manage the risk of importation or exportation of the disease at points of departure and destination.

### 4. WHO call to increase control of the spreading of COVID-19 at ground crossings

25. WHO calls for identification of priority ground crossings based on information on population movements to be collected from local key informants through participatory group mapping exercises using topographic maps and a standard discussion guide including:

- Identification of high-risk ground crossings based on connectivity with neighbouring (COVID-19 affected) countries.
- Cross-border population movement dynamics (transportation modes and routes, travel directions, trade destinations, volume of travellers and its variations/ seasonality, other movement push and pull factors).
- The profiles of cross-border travellers (their demographic characteristics, origins, destinations, travel motives).
- The important points of congregations where travellers interact with each other and with local communities, where health measures need to be strengthened (health facilities, local markets, transportation hubs etc.)

26. Following the identification of priority ground crossings and communities a range of surveillance and preparedness activities need to be implemented at each setting based on the following principles:

- Legal enforcement and planning
- Surveillance
- Ability to interview and manage ill travellers suspected of COVID-19
- Acute emergency response plans to address mass movement across border
- Supplies for infection and control
- Risk communication and community engagement
- Cross-border collaboration
- Monitoring and adaptation of measures based on changing trends

27. In the medium to longer term WHO calls upon Governments to designate their most relevant points of entry (POE) as requested under the International Health Regulations (IHR) and to report annually on their core capacities to prevent, detect and respond to health emergencies.

## **B. ECE legal instruments of possible significance in light of management of pandemics and cross-border emergencies**

### **1. International Convention on Harmonization of Frontier Controls of Goods (of 1982)**

28. The Convention:
- Seeks to streamline administrative procedures and remove cross-border technical barriers.
  - Applies to all goods being imported or exported or in transit, when they are moved across one or more sea, air or inland frontiers.
29. Parties to the Convention are committed to streamlining administrative procedures at borders and reducing the number and duration of controls carried out by customs authorities.
30. This commitment should be reflected in:
- Cooperation and coordination between customs and other services for monitoring goods.
  - Providing of qualified personnel with the necessary equipment at the place where the controls are to take place; official instructions to officers to act in accordance with international agreements.
  - Arrangements for joint controls of goods and documents by neighbouring countries that share a border; opening hours of frontier posts, categories of goods, modes of transport and international customs transit procedures.
  - Sharing of information required for controls should be effective.
31. Parties to the Convention agree that:
- Goods in transit will receive simple and speedy treatment when they are transported under conditions that provide adequate security. If there is a threat to public safety, however, controls may be carried out.
  - By extending the hours and competence of existing customs posts, they will facilitate customs clearance for goods covered by an international customs transit procedure.
32. Goods are subject to customs controls as described in Annex I. These controls are to ensure compliance with the laws and regulations in force at borders. Other types of controls may also be carried out, including at points within the country.
33. Customs services are in charge of organizing cooperation and coordination with other goods control services so as to expedite the passage of goods.
34. Information regarding these controls is to be found in the annexes listed below:
- Medico-sanitary inspections carried out for the protection of the life and health of persons (Annex II).
  - Veterinary inspections applied to animals or animal products and their conditions of transport (Annex III).
  - Phytosanitary inspections intended to prevent the spread and the introduction across national boundaries of pests of plants and plant products (Annex IV).
  - Control of compliance of goods with technical standards (Annex V).
  - Quality control of goods to ensure that they correspond with the minimum international or national definitions of quality (Annex VI).
  - Rules of procedure of the Administrative Committee for the Harmonisation Convention concerning the amendment procedure for the Convention (Annex VII).
  - Facilitation of border crossing procedures for international road transport, including by granting visas to professional drivers, the speeding up of border crossing procedures for goods, particularly for urgent consignments, such as live animals and perishable goods and the technical control of road vehicles (Annex VIII).

- Facilitation of border crossing procedures for international rail freight (Annex IX).
35. Prohibitions or restrictions relating to importation, exportation, or transit remain applicable when they are imposed for reasons of public safety. Emergency measures may also be introduced if necessary.
36. Possible amendments to the Convention in view of pandemics:
- Introduction of an additional Annex on international emergencies and pandemics.
37. Inter alia, such an additional Annex could elaborate on:
- Temporary emergency measures, protocols or crisis teams to be put in place by border authorities in case of an outbreak. Such measures may involve temporary extension of border crossing opening hours, priority treatment for essential goods, temporary simplification of country of origin confirmation procedures etc.
  - Defining criteria for land border crossings that need to stay open at any time in order to enable the international transport of essential cargo and supplies, including in the case of pandemics and international emergencies.
  - Measures required to strengthen coordination nationally between different Government agencies (customs, border and health authorities, transport authorities etc.).
  - Measures required to strengthen coordination bilaterally/ regionally or internationally between different agencies from different countries (customs, border and health authorities, transport authorities etc.).
  - Temporary waiving of specific controls and procedures/ temporary automatic extension of validity date for required certification etc.

## **2. Customs Convention on the International Transport of Goods under Cover of TIR Carnets**

### **(a) The Convention**

38. The Customs Convention on the International Transport of Goods under Cover of TIR Carnets (TIR Convention, 1975) is one of the most successful international transport conventions and is so far the only universal Customs transit system in existence. To date, it has seventy-six Contracting parties, including the European Union. It covers the whole of Europe and reaches out to North Africa and the Near and Middle East. As of 2020, almost 34,000 operators are authorized to use the TIR system and around 1 million TIR transports are currently carried out on an annual basis.

### **(b) Modus operandi**

39. The TIR Convention facilitates the international carriage of goods from one or more customs offices of departure to one or more customs offices of destination and through as many countries as necessary. As a rule, the vehicle remains sealed throughout the TIR transport and, thus, goods are generally not inspected at border crossings. However, customs authorities remain entitled to perform inspections whenever they suspect irregularities or randomly. To cover the customs duties and taxes at risk throughout the journey, the Convention has established an international guaranteeing chain which is managed by the IRU. The Convention applies to transports with road vehicles, combinations of vehicles as well as containers and allows for the use of the TIR Carnet across all modes of transport, including railways, inland waterways and maritime transport provided that at least one leg of the journey is made by road.

### **(c) Ongoing digitalization efforts**

40. A significant milestone was achieved when, in February 2020, TIR contracting parties approved the legal basis for eTIR in the form of a new Annex 11 to the TIR Convention. In combination with successful eTIR pilots, carried out between Iran (Islamic Republic of) and Turkey, between Azerbaijan and Iran (Islamic Republic of) as well as between Georgia and

Turkey,, the new Annex, which is expected to enter into force on 25 May 2021, brings new impetus to the digitalization of the TIR procedure. As a result of the eTIR pilot projects and of the negotiations on Annex 11, the Informal Ad hoc Expert Group on Conceptual and Technical Aspects of Computerization of the TIR Procedure (GE.1) continued to improve the eTIR specifications, which will ultimately describe all technical details how national Information and Communication Technologies (ICT)customs systems, private sector systems and the eTIR international system will interoperate to ensure a seamless eTIR procedure. Some TIR contracting parties have already started considering how to best interconnect their ICT systems with the eTIR international system.

41. Possible use of the Convention in relation to pandemics resilience and preparedness:

- For risk mapping and management purposes, establish a link between the eTIR Carnet and possibly introduce an (e-)health certificate for international truck drivers, as per the guidance provided by the WHO IHR (2005).
- A health declaration could be collected at departure, attached to the eTIR Carnet and shared with transit and destination countries. An international truck driver may be prevented to travel if information in the declaration shows a risk.
- Collecting information of international road transport crews would allow for contact tracing, route tracking and tracing (including through exit/entry interviews or use of Apps).

### 3. **Convention on the Contract for the International Carriage of Goods by Road (CMR) and its Additional Protocol to the CMR concerning the Electronic Consignment Note (eCMR)**

#### (a) **The Convention**

42. The Convention applies to every contract for the carriage of goods by road in vehicles for reward if origin and destination are situated in two different countries and at least one of them is a contracting party. The Convention concerns the contract conditions, the contract document (consignment note) as well as the carrier's liability limits in case of total or partial loss of the goods carried, or in case of delay. It defines the content of the consignment note (also known as CMR consignment note), which confirms the contract of carriage.

#### (b) **Digitalization**

43. The electronic version of the CMR consignment note, the e-CMR, is the subject of an Additional Protocol to the CMR Convention which entered into force in 2011. Accession to the Additional Protocol concerning the e-CMR is possible only for countries that are Contracting Parties of the CMR Convention. At present, the e-CMR has 26 contracting parties (signatories 8 and parties 26). With the increased interest by countries in utilising electronic consignment notes, transport operators may soon be able to input electronically and store logistics information as well as exchange data, in multiple languages, in real time via a mobile phone or tablet. The application of the eCMR will bring transport cost reductions (with handling costs up to three to four times less expensive), faster administration and invoicing, and a reduction of delivery and reception discrepancies. Using the e-CMR consignment note is also expected to increase data accuracy and would be linked to real time information on progress of shipments, including proof of delivery. Testing the feasibility of e-CMR in practical applications is the object of pilot projects between France and Spain, in Belgium — for national transport operations, and in the Benelux region — for transport between the three countries of Belgium, Luxembourg and the Netherlands.

#### (c) **Possible advantages of CMR/ eCMR in relation to mitigation of pandemics**

- Digital technologies and digitalization of transport documentation limit physical checks in transit, physical contact at borders and protect the health of workers.
- Electronic exchange of information and paperless solutions, contactless and paperless border crossing operations, the use of electronic consignment notes such as eCMR are

all deemed helpful in limiting the spread of pandemics through inland transport systems.

#### **4. Convention on the Facilitation of Border Crossing Procedures for Passengers, Luggage and Load-Luggage carried in International Traffic by Rail**

44. The Convention seeks to:

(a) Facilitate and expedite border-crossing by means of efficient state controls systems and the application of international standards.

(b) Extend the use of modern technologies, automatic gauge changeover technologies and high-speed rolling stock technologies.

(c) Reduce timeframes for the completion of technological operations and state controls.

(d) Provide comfort and quality of service for passengers, while reducing the running times of trains.

(e) Facilitate visa issuance procedures.

45. It seeks to overcome the many time-consuming technical and administrative limitations that international passengers still experience when travelling by train in the Euro-Asian region. Azerbaijan, the Russian Federation, Tajikistan and Turkey have expressed their intention to start internal procedures to formally accede to the Convention. On 27 September 2019, Chad became the first country to sign the Convention, subject to ratification. Pending additional signatures and ratification the Convention is not yet in force.

#### **5. UNECE road, rail, intermodal, and inland waterway infrastructure agreements**

46. UNECE member States have long-standing experience and expertise in the development of coherent international transport networks in Europe. They have created four main transport network agreements aimed at the development of coherent networks for road, rail, inland water and combined transport respectively. The UNECE transport network agreements include:

- The European Agreement on Main International Traffic Arteries (AGR), done in 1975;
- The European Agreement on Main International Railway Lines (AGC), done in 1985;
- The European Agreement on Important International Combined Transport Lines and Related Installations (AGTC), done in 1991; and
- The European Agreement on Main Inland Waterways of International Importance (AGN), done in 1996.

47. While each of these four transport infrastructure agreements identify the major international routes of importance, the E-rail, the E-road and the E-inland waterway networks, and defines the infrastructure parameters to which these should conform they could serve as a backbone of an international transport network identifying those core arteries that are to remain open and functional at any time including at times of pandemics and international emergencies.

#### **6. Intelligent Transport Systems**

48. Intelligent Transport Systems (ITS) have the potential to revolutionize mobility, changing everything from the way we move and communicate to how we design transport legislation and regulate vehicles. ECE offers a unique platform for shaping the legal framework and ensuring the safe introduction of future technologies. Since 2004, the ECE Transport Division has led the discussion on ITS and in 2012 it formulated a Road Map for promoting ITS.

49. Practically all ECE Working Parties have been and are dealing with Intelligent Transport Systems.

50. The Working Party on Road Traffic Safety (WP.1) is establishing a formal group of experts to prepare a new convention on the use of automated vehicles in traffic.

51. The Working Party on Inland Water Transport (SC.3) resolves questions related to River Information Systems (RIS).

52. The Working Party on the Transport of Dangerous Goods (WP.15) examines how Telematics can be used to enhance safety and security and the Working Party on Road Transport (SC.1) oversees the legal framework concerning the digital tachograph as well as that of e-CMR implementation.

53. The World Forum for Harmonization of Vehicle Regulations (WP.29) promotes ITS matters on-board of vehicles, such as Lane Departure Warnings Systems (LDWS), Advanced Emergency Braking Systems (AEBS) and on-board diagnostics (OBDS) to name just a few.

54. Intelligent and automated transport systems tend to reduce the frequency and duration of human-to-human contact (social distancing) while in transport and thus reduce the likeliness of contagion of communicable diseases.

## **C. Other national, regional/international transport initiatives and regulatory frameworks introduced during or in the aftermath of the COVID-19 crisis**

### **1. National responses**

55. In the wake of the COVID-19 pandemic the UK evolved its transport recovery plans according to a three-phase approach set out in the government's roadmap 'Our Plan to Rebuild: the UK government's COVID-19 recovery strategy'. Throughout its response, the UK has been actively engaging with its neighbours, the European Union, other European states and the wider international community. In the most recent phase, the UK has taken the following transport policy measures:

- Introduction of a localised approach to outbreaks in order to reduce incidence rates whilst minimising disruption to the wider society.
- Introduction of a number of non-pharmaceutical interventions on transport in order to help manage demand for transport services, protecting journeys for passengers and making sure everyone can safely keep using the network – measures including mandating face coverings on public transport.
- The development of International Travel Corridors to safely help restart international travel.
- The deployment of measurements to ensure a safe return of children to school, including by promoting active travel and providing additional and dedicated capacity to meet the increased demand created by school children.

### **2. Regional approaches for road and rail sector**

#### **European Union**

56. The following transport related emergency measures were introduced by the European Commission:

- 16 March 2020 – Guidelines to Member States on health-related border management measures to make sure that essential goods and services remain available.
- 17 March 2020 – Temporary Restriction on Non-Essential Travel to the European Union (European Union Heads of state agreed to temporary restriction of non-essential travel from third countries)
- 18 March 2020 – Interpretative guidelines on European Union passenger rights
- 23 March 2020 – “Green lanes” initiative to ensure a continuous flow of goods across European Union: Member States were requested to let their borders open to all freight

vehicles. March - European Commission (DG MOVE) Portal "EU transport measures as response to the Covid-19".

- 17 April 2020 – Joint European Roadmap towards lifting coronavirus containment measures.
- 29 April 2020 – Proposal to extend the transposition period of rail safety and interoperability (4th railway package) by three months from 16 June to 16 September 2020.
- 29 April 2020 – Omnibus - Regulation laying down specific and temporary measures in view of COVID-19 outbreak and concerning the validity of certain certificates, licences and authorisations and the postponement of certain periodic checks and training in certain areas of transport legislation,
- 25 May 2020 – European Union adoption of Regulation 2020/698 on the Extensions to the validity of certain safety certificates, licenses & authorisations; postponement of certain periodic checks & training in response to the extraordinary circumstances caused by the COVID-19 outbreak in the area of road, rail and inland waterway transport and of maritime security.
- 13 May 2020 – Tourism and transport package, including - Communication towards a phased and coordinated approach for restoring freedom of movement and lifting internal border controls – COVID-19 - Guidelines on the progressive restoration of transport services and connectivity - Recommendation which aims to make travel vouchers an attractive alternative to cash reimbursement for consumers.
- 27 May 2020 – Recovery Package proposal to kick-start the European economy following the COVID-19 crisis.
- 11 June 2020: Communication encouraging EU MS to finalise the process of lifting restrictions to free movement within the EU as soon as the epidemiological situation allows it).
- 19 June 2020: Commission's proposal for a Regulation of the European Parliament and of the Council establishing measures for a sustainable rail market in view of the COVID-19 pandemic.
- 30 June 2020 - and subsequent updates (Council Recommendation on the gradual lifting of the temporary restrictions on non-essential travel into the EU, including list of countries).
- 21 July 2020: COVID-19 railway protocol by the European Commission, ERA, ECDC).
- 4 September 2020: Commission's proposal for a Council Recommendation on a coordinated approach to the restriction of free movement in response to the COVID-19 pandemic).
- 17 September 2020: EU Recommendations for a common EU testing approach for COVID-19 (EU health preparedness).
- 13 October 2020: EU Council Recommendation on a coordinated approach to the restriction of free movement in response to the COVID-19 pandemic.
- 23 October 2020: EU Council adopted its Conclusions calling on the Commission to swiftly draw up a pandemic and other major crisis contingency plan for the European freight transport sector.
- 28 October 2020: Extension of the EU Green Lane approach (including multi-modal transport; practical advice on how to keep freight moving across EU during the pandemic).
- 18 December 2020: Commission Recommendation on the use of rapid antigen tests for the diagnosis of SARS-CoV-2 infection.



- 18 December 2020: Commission proposal for a Council Recommendation on a common framework for the use, validation and mutual recognition of COVID-19 rapid antigen tests in the EU.
  - 22 December 2020: Commission Recommendation on a coordinated approach to travel and transport in response to the SARS-COV-2 variant observed in the United Kingdom.
  - 18 January 2021: Omnibus II – Commission proposal on renewal or extension concerning the validity of certain certificates, licences and authorisations and the postponement of certain periodic checks and training.
  - 19 January 2021: EU health preparedness: Recommendations for a common EU approach regarding isolation for COVID-19 patients and quarantine for contacts and travellers.
  - 19 January 2021: Commission Communication “A united front to beat COVID-19”
  - 21 January 2021: Adoption of the Council Recommendation on a common framework for the use and validation of rapid antigen tests and the mutual recognition of COVID-19 test results in the EU.
  - 1 February 2021: Council Recommendation (EU) 2021/119 amending Recommendation (EU) 2021/1475 on a coordinated approach to the restriction of free movement in response to the COVID-19 pandemic.
  - 17 March 2021: Commission proposal for a regulation on a framework for the issuance, verification and acceptance of interoperable certificate on vaccination, testing and recovery to facilitate free movement during the COVID-19 pandemic (Digital Green Certificates).
  - 17 March 2021: Commission Communication “A common path to safe and sustained re-opening”.
  - 27 May 2021: the Commission adopted an Implementing Act establishing a Passenger Locator Forms’ exchange platform to enhance the cross-border transmission of personal data of infected passengers between Member States for contact tracing purposes.
  - 14 June 2021: Adoption of the regulation on a framework for the issuance, verification and acceptance of interoperable COVID-19 vaccination, test and recovery certificates (EU Digital COVID Certificate) to facilitate free movement during the COVID-19 pandemic.
  - 14 June 2021: Regulation on a framework for the issuance, verification and acceptance of interoperable COVID-19 vaccination, test and recovery certificates (EU Digital COVID Certificate) with regard to third-country nationals legally staying or residing in the territories of Member States during the COVID-19 pandemic.
  - 14 June 2021: Council Recommendation 2021/961 amending Recommendation (EU) 2020/1475 on a coordinated approach to the restriction of free movement in response to the COVID-19 pandemic.
  - 15 June 2021: Commission Communication on the early lessons from the COVID-19 pandemic
57. The above referred to “green lane” measures entailed:
- Providing for a maximum of 15 min of BCP time for all cargo (within the European Union, where normally no checks at all take place).
  - Setting up a network of national contact points exchanging information and data regularly. This network was extended to non- European Union countries with borders to the European Union.
  - Setting up an online portal providing access to information about measures and rules taken at national levels:

- The pandemic turned administrative formalities, controls and checks more complicated in European Union Member States and to ensure continuity in transport operations during these extraordinary times, it was agreed to temporarily derogate from more than ten legal acts on the renewal, extension or continued validity of certificates, licences and authorisations, or on periodic checks.
- Exchanging information about the repatriation rules in place was deemed essential to avoid negative effect on travellers (such as future personal travel bans, refusing visa, problems with transit, etc.) once the restrictions are lifted.

58. The European Commission's online platform on the exceptional national (European Union Member States') transport measures being taken considering the COVID-19 pandemic is available here: [ec.europa.eu/transport/coronavirus-response\\_en](https://ec.europa.eu/transport/coronavirus-response_en). Also, the Re-open EU website provides information on the various measures in place, including on quarantine and testing requirements for travellers, the EU Digital COVID certificate to help travellers exercise their right to free movement, and mobile coronavirus contact tracing and warning apps. Website: [reopen.europa.eu](https://reopen.europa.eu)

### **3. Road sector**

#### **International Road Transport Union (IRU)**

59. In close cooperation with its members and partners, IRU has established the COVID-19 Info Hub, a global source of first-hand, real-time updates and latest updates on the crisis by, and for, the commercial road transport sector, it is available here: [www.iru.org/covid19](https://www.iru.org/covid19).

### **4. Railway sector**

#### **(a) International Union of Railways (UIC)**

60. UIC launched a Covid-19 Task Force in order to exchange: information and best practices on actions already in place, status concerning the epidemic and on preventive, response and mitigation measures and procedures from all around the world with UIC members (71 members from 50 countries) and 18 international partner organizations (AAR, AFRA, African Union, ALAF, AllRail, ANPTrilhos, APTA, CER, CIT, EIM, EPF, ERFA, ETF, ETOA, IATA, OTIF, UITP and UNECE).

61. This dedicated Task Force has written four guidance documents based on information collected through questionnaires sent to members, information shared in Task Force meetings and through less formal exchange platforms (e.g. the Task Force forum) and one impact study of the COVID-19 crisis on the rail sector:

- March 2020: Management of Covid-19 - Guidance for railway stakeholders.
- April 2020: Potential measures to restore confidence in rail travel following the Covid-19 pandemic.
- May 2020: RAILSilence: How the rail sector fought Covid-19 during lockdown.
- June 2020: RAILSilence: Back on the track.
- July 2020: Global economic impact of COVID-19 on rail transport

62. These documents can be found on a dedicated UIC web portal: <https://uic.org/covid-19/>.

#### **(b) International Rail Transport Committee (CIT)**

63. Rail passenger transport has been particularly hard hit by the Europe-wide restrictions on social contact and borders closed for non-essential travel, with demand declining between 40 per cent (in Sweden) and 90 per cent (Italy, France) at the peak of the health crisis. While there are opportunities for a return of transport services to pre-crisis levels by 2021, there are also risks associated with the adjustment of mobility behaviour at the expense of public transport or the long-term avoidance of business travel through digital meetings. CIT has

been assessing the legal and contractual implications of the COVID-19 pandemic on passenger rail traffic. Several measures had to be taken to fight COVID-19 which could potentially raise issues in relation to data protection (use of health data, personal information, location data, etc.). CIT issued measures in relation to processing of such personal data (recommendatory character) and the legal findings arising from those different issues will be integrated in a CIT Manual on data protection for transport undertakings.

## **5. Customs / border management sector**

### **(a) World Customs Organization (WCO)**

64. WCO responses to the COVID-19 pandemic included:

- In mid-March it created a dedicated COVID-19 section on the WCO website containing references to existing instruments and tools.
- Newly developed guidance was also uploaded on that webpage: HS Classification reference for medical supplies, List of priority medicines for Customs during COVID-19, a Secretariat Note on How to establish and utilize essential goods lists, etc.
- Development of a repository of (114) Members best practices and measures in response to Covid-19 pandemic titled “What Customs can do to mitigate the effects of the COVID-19 pandemic”.
- The WCO Secretariat developed a document categorizing Members’ practices in four categories: (a) facilitating the cross-border movement of relief and essential supplies; (b) supporting the economy and sustaining supply chain continuity; (c) protecting staff, and (d) protecting society.
- Joint statements – with WTO on trade related measures (any border action should be targeted, proportionate, transparent, non-discriminatory and temporary), with IMO, ICC, IRU, OTIF and OSJD and with UN-OHRLLS, as well as a joint letter with UPU. All joint statements call for sustaining the supply chain continuity.

65. A WCO COVID-19 Project has been implemented with the objective to improve the capacity of WCO Members’ Customs administrations business continuity in response to Covid-19 impact. Main activities include:

- Developing WCO Guidelines for Customs administrations to address various disruptive scenarios represented by COVID-19 and other similar emergency situations and to ensure the stability of global supply chain.
- Promoting the use of WCO Guidelines and other relevant WCO tools, Timely dissemination of information and expertise through an update of the WCO website on COVID-19.
- Developing IT solutions to improve the capacity of WCO developing Members in response to emergency situations, such as COVID-19.

66. At its last session in 2020, the WCO Permanent Technical Committee discussion took note of the challenges, practices and lessons learned associated to the COVID-19 pandemic shared by Members and of the observations shared by private sector delegates and other observers. The PTC decided that in its future work WCO should also pay attention to the role of Customs in the different phases of the disaster management cycle, namely conducting a review and gap analysis of existing instruments and tools, developing a new tool dealing with business continuity and the role of Customs in the different phases of the disaster management cycle, as well as developing a database or compendium of best practices. The PTC decided to include the topic on the Knowledge Academy for Customs and Trade (KACT) agenda to promote the role of Customs in natural disaster relief at various fora.

### **(b) European Commission**

67. The following customs related emergency measures were introduced by the European Commission:

- 3 April 2020 – a Commission Decision (European Union) 2020/491 on relief from import duties and VAT exemption for goods needed to combat the effects of the COVID-19 outbreak. (applies for imports made from 30 January 2020 to 31 July 2020).
- 24 April 2020 – Proposals for two Council Regulations on suspensions and tariff quotas, which shall apply as of 1 July 2020.
- Economic operators are encouraged to use the Union/Common transit procedure, TIR transit and pre-lodged customs declarations to the widest possible extent. This will facilitate swift border crossing at the European Union external borders.
- Economic operators can expect that the customs office of departure will take into consideration possible longer transport times due to Covid-19 measures when setting the time limit which the goods shall be presented at the customs office of destination.

68. A designated DG Taxud webpage with full information is available here: [ec.europa.eu/taxation\\_customs/covid-19-taxud-response\\_en](https://ec.europa.eu/taxation_customs/covid-19-taxud-response_en)

## 6. Social and labour dimension

69. In response to the pandemic, the International Labour Organization (ILO) has prepared a series of policy briefs focusing on specific transport sub-sectors (including road, maritime and urban transport sectors). These policy briefs aimed at assisting ILO constituents in assessing the impact of the pandemic in specific sectors and to highlight existing ILO tools and instruments that could help to sustain enterprises and protect workers. The briefs highlight the importance of proactive and well-designed sectoral policies in response to the crisis. The various policy briefs are available at [www.ilo.org/transport](http://www.ilo.org/transport).

70. In trying to prevent potential future disruptions of the transport sector, ILO uses a human-centered approach recognizing the essential role that transport workers, including seafarers, truck drivers, public transport workers, dockers are playing in the world economy. For example a recent ICAO-ILO-IMO Joint Statement called for the designation of not only seafarers but also marine personnel, fishing vessel personnel, offshore energy sector personnel, aviation personnel, air cargo and supply chain personnel, and service provider personnel at airports and ports as “key workers”. Getting all institutional views aligned – whether at the domestic or international level is essential to reduce the economic impact of the sector and ensure that essential goods are transported.

## 7. Approaches taken by other transport sectors

### (a) Aviation sector

*International Civil Aviation Organization (ICAO)*

71. The impact of the coronavirus disease (COVID-19) pandemic on global air transport is without precedent. Airports have seen a -28.4 per cent decline in global passenger traffic volumes for the first quarter of 2020, equivalent to a reduction of 612 million passengers in absolute terms. At that stage these volumes (domestic and international traffic) were expected to decrease by -50.4 per cent for 2020 as a whole as compared to 2019 figures. ICAO estimates that by the end of 2020, the COVID-19 impact on scheduled international passenger traffic could reach reductions of up to 71 per cent of seat capacity and up to 1.5 billion passengers globally. According to initial data, airlines and airports were facing a potential loss of revenue of up to USD 314 billion<sup>3</sup> and USD 100 billion respectively, for 2020.

72. In the wake of the unfolding COVID-19 health crisis, ICAO developed a Council Aviation Recovery Task Force (CART) consisting of thirteen States and eleven regional and international organizations that has developed a whole range of recommendations, including surrounding aviation safety-related; public health-related; security-and facilitation-related; and economic and financial related measures. In April 2020, an ICAO Secretariat COVID-19 Emergency Programme Group (SCEPG) was established, which is a multidisciplinary group of subject matter experts and executives from all relevant domains that aims to plan and coordinate ICAO’s COVID-19 response activities with external stakeholders; and

facilitate the restart of aviation operations in a sustainable, safe, secure and orderly manner as soon as practicable taking into consideration the evolution of the COVID-19 pandemic and decisions by Public Health Authorities.

73. In the early days of the pandemic ICAO has also developed a Take-Off Guidance document. This document provides a framework for addressing the impact of the current COVID-19 pandemic on the global aviation transportation system. The appendix to this document includes mitigations needed to reduce public health risk to air passengers and aviation workers while strengthening confidence among the travelling public, the global supply chain including, and governments.

74. ICAO has also produced four operational modules relating to:

- Airport Guidelines: contains specific guidance on airport terminal building, cleaning, disinfecting, and hygiene, physical distancing, staff protection, access, check-in area, security screening, airside areas, gate installations, passenger transfer, disembarking, baggage claim and arrivals areas.
- Aircraft Guidelines: contains specific guidance addressing boarding processes, seat assignment processes, baggage, interaction on board, environmental control systems, food and beverage service, lavatory access, crew protection, management of sick passengers or crew members, and cleaning and disinfection of the flight deck, cabin, and cargo compartment.
- Crew Guidelines: contains contact of a crew member with a suspected or positive COVID-19 case, reporting for duty, dedicated end-to-end crew layover best practices, crew members experiencing COVID-19 symptoms during layover, and positioning of crew.
- Cargo Guidelines: addresses aviation public health including physical distancing, personal sanitation, protective barriers point of transfer to the ramp and the loading and unloading, and other mitigation procedures.

75. More detailed information on the above is available here: [www.icao.int/covid/cart/Pages/CART-Take-off.aspx](http://www.icao.int/covid/cart/Pages/CART-Take-off.aspx). A recent ICAO policy brief emphasising the importance of the aviation sector for the supply chain is available at: [https://www.icao.int/sustainability/Documents/ICAO-PRIORITY-BRIEF\\_Air-Cargo\\_2021.04.19.FINAL.pdf](https://www.icao.int/sustainability/Documents/ICAO-PRIORITY-BRIEF_Air-Cargo_2021.04.19.FINAL.pdf)

## **(b) Maritime sector**

76. The COVID-19 pandemic has had significant impacts on the shipping industry and on seafarers themselves. Travel restrictions imposed by governments around the world for instance have created significant hurdles to crew changes and repatriation of seafarers. The maritime sector is recognising that during the COVID-19 crisis, port community systems, single window and other electronic exchange platforms have been critical elements of the digital infrastructure for the supply chain, including sea and airports, trade facilitation and cross border logistical and administrative/regulatory processes. The International Port Community Systems Association (IPCSA) has issued a guideline on "Preparing for post COVID-19 operations: considerations and practicalities for port community systems, single window and other electronic exchange platforms", prepared to identify some key points that should be considered by sea and airport community systems operators, port and airport authorities and other electronic exchange platform operators when planning and preparing for recovery and normalization of operations.

77. Main concerns faced by the maritime sector in relation to the COVID-19 crisis included:

- Issues surrounding crew change and repatriation of seafarers: with 200,000 workers stranded during the pandemic and another 200,000 unable to join aboard resulting in economic hardships according to the International Chamber of Shipping).
- Issues surrounding the need to designate seafarers as key workers: with only 82 countries that allowed crew changes according to WaterFront and only 60 countries seeing seafarers as essential workers (IMO, 2021).

- Issues surrounding enhanced travel restrictions, difficulties related to issuance of passports and visas, lack of access to medical care (aboard or on shore).

78. In order to address these challenges, the International Maritime Organization has promulgated a comprehensive set of recommendations and guidance (IMO Circular Letters No. 4204 and addenda) strongly urging Governments and relevant authorities to establish a coordinated and proactive approach for the integrity of the global supply chain and recommending to designate professional seafarers and marine personnel as key workers. Furthermore, a Seafarers Crisis Action Team was established to cooperate with global industry groups and intervene in specific cases regarding crew change, repatriation, access to medical care and abandonment.

79. Recent and ongoing IMO work includes the adoption of Resolution MSC.473(ES.2) -Recommended action to facilitate ship crew change, access to medical care and seafarer travel during the COVID-19 pandemic; Resolution MSC.490(103) – Recommended action to prioritize COVID-19 vaccination of seafarers; the development of a new GISIS module on Crew Change and Repatriation of Seafarers as well as the development of an industry-recommended framework of protocols for ensuring safe ship crew changes and travel during the coronavirus (COVID-19) pandemic(MSC.1/Circ.1636/Rev.1)

80. A repository of information is available on the IMO website <http://www.imo.org/en/MediaCentre/HotTopics/Pages/Coronavirus.aspx> and COVID-19 related notifications received from Member States are available here: (<http://www.imo.org/en/MediaCentre/HotTopics/Pages/COVID-19-Member-States-Communications.aspx>).

## **V. Gap analysis – What does the international inland transport sector require to increase its preparedness for and resilience to pandemics and other cross-border emergencies?**

81. Lessons learned for international inland transport include:

- The importance of immediate coordination in response to the outbreak and the effective ongoing coordination at regional, national and international levels.
- The importance of efficient supply chains and keeping goods moving.
- The need to collect and feed evidence and data into decision making.
- The digitalization of processes has made them contact-free and safer and more efficient.
- The need for clear communication to the public and to operators on changes to procedures and new rules.
- The need to adopt a human centred approach, recognising the key role that transport workers play in keeping global supply chains running, in particular at times of crisis.
- Engagement across sectors (e.g. health, transport, customs, business) has been crucial in using an evidence-based approach to decision making.

82. Lessons learned for customs / border management include:

- Need for enhanced preparedness – use of electronic services, risk management (selectivity and profiling before conducting physical checks), non-intrusive inspection (NII) equipment, availability of disaster response/ mitigation plans and business continuity plans.
- Need for enhanced coordination – use of a whole of government approach, Coordinated Border Management (CBM), coordination with neighbouring countries and/or at regional levels, especially in case of pandemics.
- Streamlining and simplifying Customs procedures – green lanes for freight traffic.

- Transparency of documentary requirements – all necessary information should be publicly available.

## **VI. Possible recommendations for further action by the inland transport sector, in coordination with other transport sub-sectors**

83. Considering the above listed key gaps, the lack of a harmonized approach among countries and among transport sub-sectors, the lack of coordination and cooperation between various stakeholders nationally, regionally and internationally, and the absence of emergency and contingency plans the below listed areas may be most relevant for ECE interventions, given its scope of work, mandates and experience in the field of transport:

84. At international transport sector regulatory level:

- Prioritise a human centred approach and promote among Governments, private sector operators and other global supply chain stakeholders the perspective that transport workers (regardless of whether they work in the inland transport, maritime or aviation sector) are essential workers and need to be recognised as such, in particular at times of international emergencies. In this regard, work towards a uniform, broadly accepted certificate (similar to the one in Annex 3 of the Green Lane Communication of the EC) that certifies that the driver is a transport worker and, as such, waived from border crossing restrictions (under the United Nations Customs Convention on the International Transport of Goods).<sup>2</sup>
- If deemed appropriate by the respective mode-specific Working Parties, conduct stress-tests on the various ECE Conventions for the inland transport sector to identify where amendments can/should be made in order to make these legal instruments more “pandemic-resilient” (i.e. TIR/ eTIR, CMR/eCMR and the Harmonization Convention). This may be applicable to the maritime and aviation regulatory frameworks as well.
- At the level of the existing administrative/ regulatory framework surrounding inland transport but also maritime and aviation sectors evaluate how the many “temporary” measures (temporary extension of validity of permits and documents or temporary exemptions and facilitations measures) that have been taken by Governments in the inland transport sector in response to the COVID-19 outbreak can be turned into nationally/ regionally or internationally accepted and agreed protocols and emergency plans that could enter into force the moment a new pandemic or emergency situation would materialise, avoiding the loss of valuable lessons learnt from the current pandemic.

85. At the level of existing legal instruments:

- Related to infrastructure agreements: ECE infrastructure agreements AGTC, AGR, AGC and AGN defining and elaborating core inter-modal, road, rail and inland waterway networks in the ECE region and beyond could serve as the backbone for the identification of those critically important routes and nodes that need to remain open under any circumstances, including during international emergencies and pandemics.
- Related to border crossing facilitation agreements: in the framework of the Harmonization Convention for instance criteria could be defined for land border crossings that need to stay open at any time in order to enable the international transport of essential cargo and supplies, including in case of pandemics and international emergencies.
- Related to health certification of transport crews: introduction of electronic health certificates or (at the outset of a pandemic) health declarations for crew, transport

<sup>2</sup> The Green Lane Communication and its annexes are available here: [https://ec.europa.eu/transport/sites/transport/files/legislation/2020-03-23-communication-green-lanes\\_en.pdf](https://ec.europa.eu/transport/sites/transport/files/legislation/2020-03-23-communication-green-lanes_en.pdf)

workers and/ or passengers, which could be attached to existing United Nations transport conventions and their e-applications (eTIR; eCMR etc.). Establishing links between the eTIR carnet for instance or any other digitalised transport document and an e-health certificate for international transport crews could be advantageous in terms of risk mapping, contact tracking and tracing which is essential at the outset of a pandemic.

86. At the level of digitalization and automation:

- Continue to support transport/ trade documents digitalisation: raise awareness globally and if possible, accelerate the digital implementation possibilities of various of the already existing digital transport legal instruments in the inland transport sector: TIR/eTIR, CMR/eCMR, the URL/ eURL consignment note for rail transport etc.
- Digitalisation and automation are widely recognized as effective pandemic mitigation tools since direct human contacts in clearance processes are no longer needed. Online training modules on the use of these digital instruments could be developed and deployed across the world with the support of the relevant ECE Working Parties (WP.30, SC.1, SC.2, WP.24 etc.).
- Transport sector digitalization efforts should be coordinated, and e-solutions should be integrated across the different transport sub-sectors including inland transport, maritime and aviation sectors.

87. At the level of continued sectoral and inter-sectoral dialogue on pandemic preparedness:

- Have pandemic / emergency preparedness as a recurrent agenda item for the forthcoming sessions of mode-specific WPs (SC.1, SC.2, SC.3, WP.24 and WP.30).
- Build further on the work done by the informal Advisory Group so far and continue to explore specific measures/ tools that could be developed aimed at increasing the resilience of the inland transport system to future pandemics,
- Continue to organize focussed multisectoral meetings as necessary (involving also the maritime and aviation sectors for instance) to share experience, and regularly review and discuss cooperation across modes to prevent international spread of communicable diseases through transport and enhance regional and inter-regional coordination to facilitate border-crossings.
- Build further on and strengthen the Transport, Health and Environment Pan-European Programme (THE PEP) initiative, jointly led by ECE and WHO Europe which in the wake of the COVID-19 pandemic has established a Task Force composed of representatives of member States, international organizations, civil society, academia and other stakeholders.
- Consider developing resource materials, databanks or pandemic preparedness good practice repositories gathering experiences from transport authorities in the ECE region and beyond in responding to the COVID-19 crisis. Consider consolidating such efforts at a cross-sectoral level.

## **VII. Guidance by the Working Party**

88. The Working Party is invited to consider this revised and up-dated document as well as the recommendations put forward at the end and provide guidance on further prioritisation of the suggested areas for follow-up by WP.5 and other relevant Working Parties.

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