

A serial approach in GE.3 instead of two parallel

Proposal by the expert from Sweden

Background

At its 83rd session on 23–26 February 2021, the ITC approved the establishment of a new Group of Experts (GE.3), which has now been active for about 3.5 years. Since its first meeting, the group of experts have carried out many activities eg. gathering knowledge about safe deployment of automated vehicles in international traffic, developing a scoping draft, conducting an analyses of any gaps in the conventions and resolutions under the auspices of WP.1, identification of issues to be addressed, supported in its work by experts from industry, NGOs and academia. As a result of these activities the expert group has, through a lot of efforts from volunteers, produced new knowledge and gained deeper insights into how to address issues on the safe use of automated vehicles in traffic. However these results have not yet been collated into formal and agreed outputs from the GE.3 to be submitted to WP.1 for discussion or decision.

Two approaches in parallel in GE.3

When following the discussions and conversations in GE.3, two parallel approaches can be observed on how to support harmonisation and development of an output which is expected to complement the 1949 and 1968 Conventions on Road Traffic.

These two parallel approaches can be named the “non-binding driven approach” and the “binding driving approach”. It is important to notice is that they both share the same goal: to ensure road safety, in particular the safety of vulnerable road users¹.

The two approaches share not only the same goal but also the same knowledge requirements and can by this use the same methodologies to gain the needed knowledge eg. projects within GE.3 carried out by work from volunteers, input from the bureau, the secretariat, the industry, the academia, IGEAD, WP.29\GRVA, results publicised in informal GE.3-papers to inform stakeholders etc. A point of progressing the approaches in parallel is that they can learn from each other’s outputs and enable faster progress which can be efficient. But it provides less transparency about how the outputs build on all the work and may appear to pre-empt the analysis.

Turning two parallel approaches into two supportive approaches in a series

Figure 1 below shows how the two approaches can be used in a series to support each other and also support a “multiple outcome approach” aiming to acknowledge the needs of all contracting parties in GE.3.

¹ ECE/TRANS/2021/6 Annex III, Terms of reference of the Group of Experts on drafting a new legal instrument on the use of automated vehicles in traffic

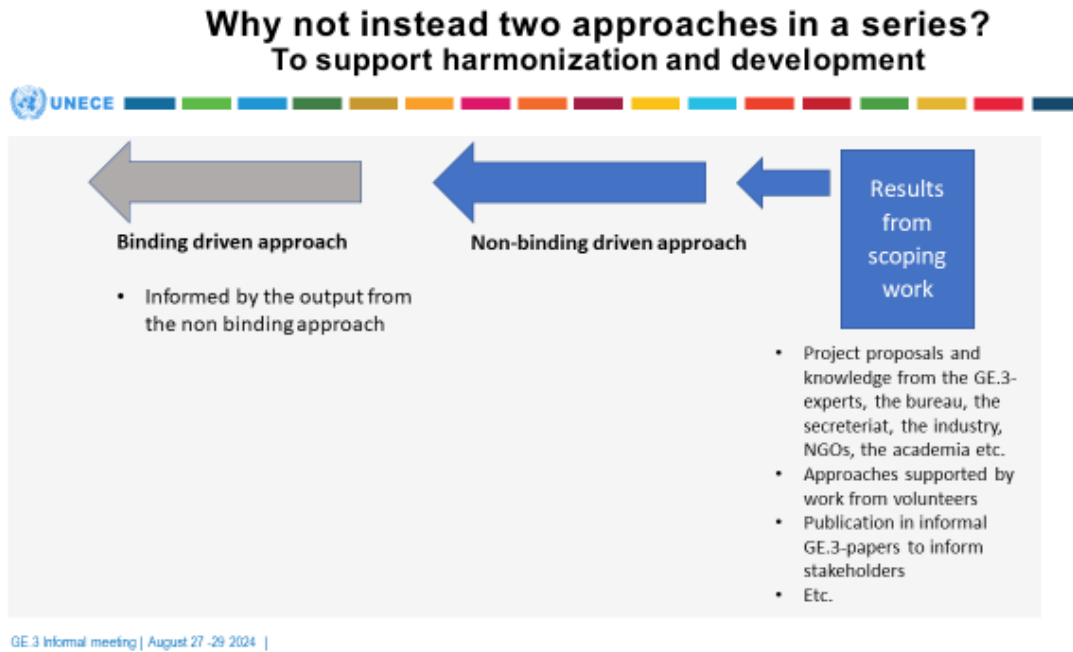


Figure 1. The two GE.3-approaches in a series as two supporting approaches.

In order to bring the two approaches together, an agreed output from the non-binding approach in GE.3 is needed. This must form a published output in its own right such as guidelines, that later can be used as a base for a binding approach.

The group of experts has a common goal to identify and address any gaps in the existing legal instruments under the auspices of WP.1 which may pose a risk to road safety. The analysis of gaps carried out over the summer revealed that contracting parties have a range of perspectives. Without further work, it may be difficult to identify a compromise output for GE.3. The GE.3 bureau has therefore tried to find a compromise by suggesting that the GE.3 start to develop general principles for deployment of AVs in road traffic, informed by the collective assessment of any gaps in the conventions and resolutions under the auspices of WP.1. Figure 2 show what the GE.3-bureau have proposed at its seventh session in Geneva, 30 November – 1 December 2023.

A chain of events towards the final outcome and goal from GE.3.

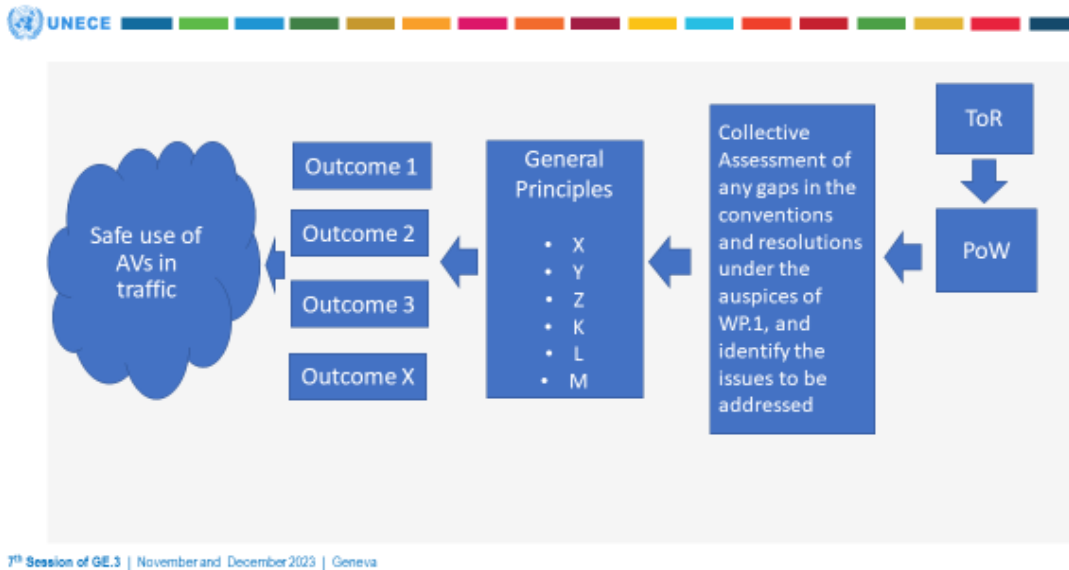


Figure 2. Gaps analysis, leading to general principles that can be derived into multiple outcomes.

Using the non-binding output as a start for a binding approach

The objective for GE.3 is to ensure road safety in the deployment of AVs in road traffic. It is likely that, in order to achieve this outcome, each of the two approaches is needed. Figure 3 below show how the proposed development of principles by the non-binding approach can be used as the input for a binding approach. Through the development of non-binding principles which can then inform the development of a binding outcome, it will be possible to foster harmonization across different regions and meet the needs of all contracting parties.

A chain of events towards creating equal opportunities for safe use of AVs

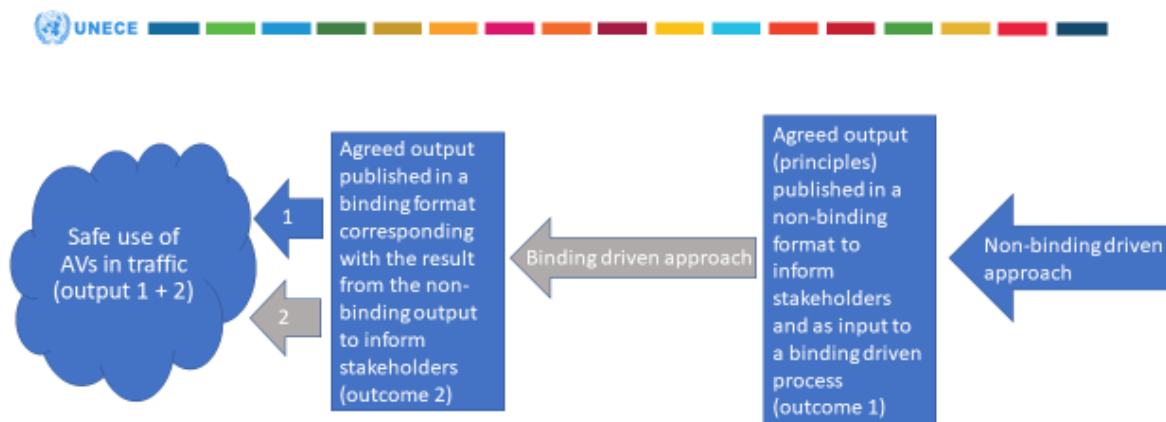


Figure 3. A proposed approach to meet the needs of CPs to ensure road safety of AVs in traffic.

To discuss

In order to proceed with the working method described in figure 3 above, an acceptance is needed in GE.3 for a multi outcome approach. Sweden wishes to discuss the working model described above by asking the following questions as a basis for a discussion - can GE.3:

- accept a multi outcome approach including the two approaches in a series?
- start to developing principles based on all the knowledge GE.3 has produced so far?
- accept that the principles may enters in to a binding approach for they who wish based on the principles from the non-binding-approach?