

Summary of Workshop

Workshop on the United Nations Agreements on Vehicle Regulations and Transport of Dangerous Goods

*28-30 June 2017
Ulaanbaatar, Mongolia*

The Workshop was organized into three segments:

- I. Opening Session
- II. Session One: Transport of Dangerous Goods and the European Agreement concerning the International Carriage of Dangerous Goods by Road (ADR)
- III. Session Two: UN Agreements on Vehicle Regulations
- IV. Conclusions

Below are conclusions and highlights from each session.

I. Opening Session

The Opening Session began with remarks from Mr. Sandagdorj Batbold (С. Батболд), Director General of the Road Transport Policy Implementation and Coordination Department, Ministry of Road and Transport Development of Mongolia.

Mr. Batbold recalled that in the framework of the United Nations Decade of Action for Road Safety, the Government of Mongolia adopted in 2012 a national strategy for road traffic safety. The goal is to halve by 2020 the number of deaths and people injured in road traffic accidents. He also recalled that Mongolia was already contracting party to the Convention on Road Traffic and to Convention on Road Signs and Signals, of 8 November 1968.

He confirmed that Mongolia intended to access to the following four Agreements in relation to Road Safety and he welcomed the training workshop on this subject with the participation of the UNECE experts:

- 1958 Agreement concerning the Adoption of Uniform Technical Prescriptions for Wheeled Vehicles, Equipment and Parts which can be fitted and/or be used on Wheeled Vehicles and the Conditions for Reciprocal Recognition of Approvals Granted on the Basis of these Prescriptions;
- 1997 Agreement concerning the Adoption of Uniform Conditions for Periodical Technical Inspections of Wheeled Vehicles and the Reciprocal Recognition of Such Inspections;
- 1998 Agreement concerning the Establishment of Global technical regulations for wheeled vehicles, equipment and parts which can be fitted and/or be used on wheeled vehicles;
- 1957 European Agreement concerning the International Carriage of Dangerous Goods by Road (ADR).

He presented the national regulatory framework for road safety and the bilateral agreements in place with neighbouring countries particularly in relation to the accession of Mongolia to the Asian Highway Network since 2004.

He summarized the reality in the country in regards to the fleet of vehicles and the national procedures and facilities in place for their inspection. Mr. Batbold reiterated the commitment of the government in

adopting recognized international standards with an aim to improve road safety.

II. Session One: Transport of Dangerous Goods and the European Agreement concerning the International Carriage of Dangerous Goods by Road (ADR)

This session addressed the issue of transport of dangerous goods by road. Although focussed on international transport, it also addressed the need to harmonize the regulations applicable to national and international transport.

Background Information:

Before the workshop, a representative of the Ministry of Road and Transport Development of Mongolia (Ms. Narantungalag Jamiyengarav) shared information related to the Transport of Dangerous Goods in Mongolia with UNECE.

In particular, Ms. Jamiyengarav explained that the national regulations applicable to the transport of dangerous do not cover all classes of dangerous goods and are not based directly on the United Nations Recommendations on the Transport of Dangerous Goods, Model Regulations or the ADR. The national regulations are partly based on Annex II of the Agreement on International Goods Transport by Rail (SMGS). It is worth noting that the Organization for Co-operation of Railways (OSJD) is in the process of aligning Annex II of SMGS with the Regulations concerning the International Carriage of Dangerous Goods by Rail (RID). RID and ADR are fully harmonised in regards to the provisions applicable to both road and rail modes.

She confirmed that Mongolia plans to become Contracting Party to ADR and that some preparation work is already underway such as the translation of ADR to Mongolian. For the moment, there are not mechanisms in place for approval of dangerous goods packaging, gas receptacles, tanks. There are already mechanisms in place for the approval of vehicles and the training of drivers but they are not harmonised with ADR.

Summary of Presentations:

1. Presentation on “Dangerous goods and safety” by Ms. Sabrina Mansion of UNECE

The aim of this presentation was to show that dangerous goods are produced and transported in very large quantities; they cover a very large range of products and they present risks. The main conclusion was that accidents during the carriage of dangerous goods often have serious consequences.

After this presentation, a thematic discussion was held on possible actions to improve the safety of the carriage of dangerous goods by road. The participants mentioned the following issues that may impede the safety of the carriage of dangerous goods in Mongolia:

- Some goods are considered as dangerous goods at international level but not regulated by the national regulations applicable in Mongolia (e.g. liquefied petroleum gases);
- The training of drivers carrying dangerous goods only applies for drivers carrying explosives;
- Mongolia is a transit country between the Russian Federation and China and there is no harmonised prescriptions applied in these three countries.

Conclusion from the presentation on “Dangerous goods and safety”:

- There is a need to adopt international standards for the carriage of dangerous goods and to align progressively the national regulations on these standards.
- As the Russian Federation is already a contracting party to ADR, the accession to ADR would facilitate the further harmonisation of applicable regulations.

2. Presentation on “The United Nations Mechanisms for the Safe Carriage of Dangerous Goods” by Ms. Sabrina Mansion of UNECE

The objective of this presentation was to provide an overview of the role of the United Nations and of the UNECE Transport Division for the development of national and international instruments regulating the carriage of dangerous goods by various modes of transport and their harmonization.

The United Nations recommend that all governments (when developing national regulations), and international organizations (when developing regional or internationally legally binding instruments) follow the same structure and implement the provisions contained in the seven parts of the United Nations Recommendations on the Transport of Dangerous Goods.

These Recommendations have been developed by the United Nations Economic and Social Council's Committee of Experts on the Transport of Dangerous Goods in the light of technical progress, the advent of new substances and materials, the exigencies of modern transport systems and, above all, the requirement to ensure the safety of people, property and the environment.

They are presented in the form of "Model Regulations on the Transport of Dangerous Goods". The Model Regulations cover principles of classification and definition of classes, listing of the principal dangerous goods, general packing requirements, testing procedures, marking, labelling or placarding, and transport documents. There are, in addition, special requirements related to particular classes of goods. With this system of classification, listing, packing, marking, labelling, placarding and documentation in general use, carriers, consignors and inspecting authorities will benefit from simplified transport, handling and control and from a reduction in time-consuming formalities. In general, their task will be facilitated and obstacles to the international transport of such goods reduced accordingly.

3. Presentation on “European Agreement concerning the International Carriage of Dangerous Goods by Road (ADR)” by Ms. Sabrina Mansion of UNECE

The next presentation from Ms. Mansion focused on carriage of dangerous goods by road on ADR. She presented the advantages for a country to accede to ADR and the implications for Contracting Parties.

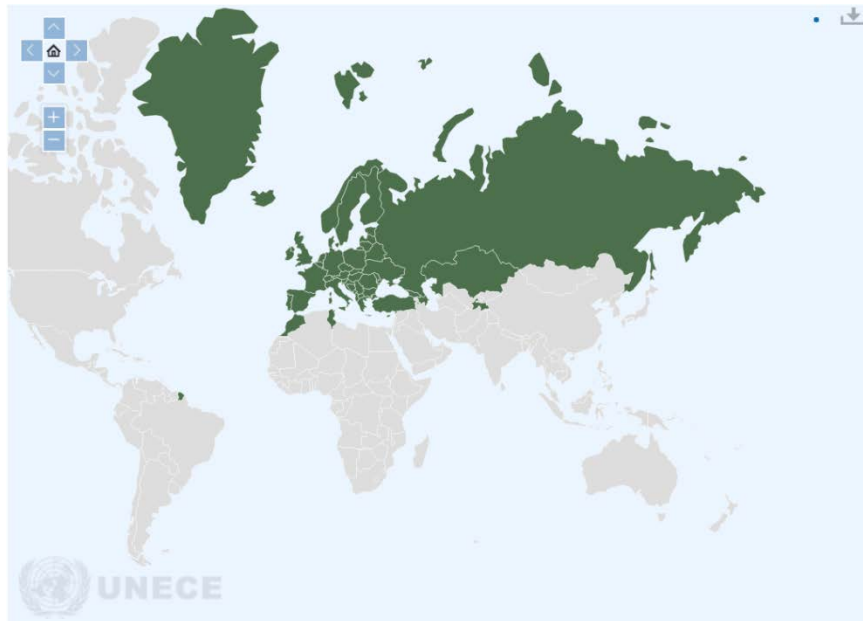
The ADR Agreement contains 17 articles. The most important is Article 2, which says in effect that, apart from some excessively dangerous goods, other dangerous goods may be moved internationally in road vehicles provided that the packaging, labelling, vehicle construction, equipment and operation are all in accordance with Annexes A and B to the Agreement, which contain all the detailed provisions.

ADR is an Agreement between States, and there is no overall enforcing authority. In practice, highway checks are carried out by Contracting States, and non-compliance may then result in action by national authorities against the driver in accordance with their domestic legislation. ADR itself does not prescribe any penalties.

The main objective of ADR is to increase the safety of international transport by road. It is also an important trade facilitation instrument. Except for dangerous goods that are totally prohibited for

carriage, and except when carriage is regulated or prohibited for reasons other than safety, the international carriage of dangerous goods by road is authorized by ADR on the territories of Contracting Parties, provided that the detailed provisions of the Agreement, are complied with.

There are at present 49 Contracting Parties to ADR.



4. Group discussions moderated by Ms. Sabrina Mansion of UNECE

Based on the two presentations above and under the guidance of the moderator, the participants addressed the following points in thematic discussions:

- the advantages to become Contracting Party to ADR;
- the keys of success and difficulties of the implementation of the agreement; and
- the issues related to the application to domestic traffic.

The main points discussed and conclusions presented to the plenary were:

Based on the presentations and discussions, it appears that there is considerable room for improvement as regards the safety of the carriage of dangerous goods in and throughout Mongolia. The accession to ADR would be an advantage for Mongolia in improving safety. It would also improve the image of the Mongolian participants in the transport chain internationally. The participants also recognised ADR as an important facilitation tool for international transport.

The participants recognised that the accession to ADR would imply a lot of work in terms of implementation and enforcement and that close cooperation is required between the different actors at governmental level and also between the Government and the representatives of the industry. This included:

- development of training programmes for drivers;
- procedures for the issuance of certificates;
- development of adequate processes and administrative structures for:
 - classification of dangerous goods where appropriate;
 - approval of packaging design types;
 - approval of tank-containers, portable tanks and tank-vehicles;
 - driver training and certification;

- dangerous goods safety adviser training and certification.
- participation in meetings of the UNECE Working Party on the Transport of Dangerous Goods (WP.15) to exchange experience and to discuss questions of interpretation with other Contracting Parties.

III. Session two: UN Agreements on Vehicle Regulations

This session highlighted the need of a worldwide regulatory framework for vehicles with the aim to ensure safer and cleaner vehicles and to reduce technical barriers to trade. It also outlined the activities of the World Forum for Harmonization of Vehicle Regulations (WP.29) and the main features of the three UN Agreements concluded under the WP.29 auspices.

1. Presentation "The World Forum for Harmonization of Vehicle Regulations (WP.29): overview of its activities in the global context" by Mr. Konstantin Glukhenkiy of UNECE

This presentation provided the historical background of WP.29 and demonstrated the unique role played by WP.29 as a worldwide regulatory forum for the automotive sector administering three multilateral UN Agreements.

It also introduced the six permanent subsidiary bodies of WP.29 (Working Parties - GRs):

- Working Party on Passive Safety (GRSP)
- Working Party on Pollution and Energy (GRPE)
- Working Party on Brakes and Running Gear (GRRF)
- Working Party on Noise (GRB)
- Working Party on Lighting and Light-Signalling (GRE)
- Working Party on General Safety Provisions (GRSG)

The major achievements of all GRs and WP.29 were outlined and put in the global context of the UN Decade of Action for Road Safety 2011-2020 and the Sustainable Development Goals (SDGs), in particular targets 3.6 and 11.2.

2. Presentation on the 1958 Agreement by Mr. Konstantin Glukhenkiy of UNECE

The presentation introduced the system of vehicle type approvals and the 1958 Agreement concerning the Adoption of Uniform Technical Prescriptions for Wheeled Vehicles, Equipment and Parts which can be fitted and/or be used on Wheeled Vehicles and the Conditions for Reciprocal Recognition of Approvals Granted on the Basis of these Prescriptions.

The presentation also covered the scope of the 1958 Agreement and the advantages and obligations of Contracting Parties. A particular attention was given to the implementation of the 1958 Agreement at the national level, such as introducing amendments to national legislation (requirements for vehicle approval with references to UN Regulations, requirements for reciprocal recognition of UN type approvals, requirements for vehicle registration with vehicle approval as a prerequisite, responsibilities and sanctions, etc.), designating a Type Approval Authority and defining administrative procedures (granting, extending, suspension of approvals; assessment, designation and notification of technical services; conformity of production procedures).

The participants were also briefed on the forthcoming amendments (Revision 3) to the 1958 Agreement that would enter into force on 14 September 2017, including:

- A Contracting Party applying a UN Regulation may issue type-approvals pursuant to earlier versions of the UN Regulation (ease accession by countries which are not yet ready to accede to the latest regulation).
- Introduction of the International Whole Vehicle Type Approval (IWVTA) into draft UN Regulation No. 0.
- Developing of a Database for the Exchange of Type Approval documentation (DETA) between all Contracting Parties.

3. Presentation on the 1998 Agreement by Mr. Konstantin Glukhenkiy of UNECE

The presentation introduced the 1998 Agreement concerning the Establishment of Global Technical Regulations for Wheeled Vehicles, Equipment and Parts which can be fitted and/or be used on Wheeled Vehicles. It described in detail the regulatory process of developing Global Technical Regulations (GTR) which contain performance requirements (e.g. limit values) and technical prescriptions regarding the testing methods.

The presentation focused on the major differences between the 1958 and 1998 Agreements. Compared to the 1958 Agreement, the 1998 Agreement is more flexible and less legally binding as it foresees neither certification procedure, nor reciprocal recognition, nor conformity of production, leaving the implementation of GTRs up to national law of Contracting Parties. The participants were also briefed on the common legal steps to be undertaken by a country in order to become a Contracting Party either to 1998 or to 1958 Agreement.

Finally, the presentation gave an overview of the UN Vehicle Regulations (1958 Agreement) and GTRs (1998 Agreement), which are most important for the purposes of improving road safety.

4. Presentation on the 1997 Agreement by Mr. Konstantin Glukhenkiy of UNECE

This presentation highlighted the importance of Periodical Technical Inspections (PTI) of vehicles for road safety and introduced the 1997 Agreement concerning the Adoption of Uniform Conditions for Periodical Technical Inspections of Wheeled Vehicles and the Reciprocal Recognition of such Inspections.

The participants were informed about the current Rules No. 1 on environmental issues, such as pollutant emissions, noise and leakages, and No. 2 on safety related issues, such as the braking equipment, steering, visibility, lighting equipment and parts of electric system, axles, wheels, tyres, suspension, chassis and chassis attachments.

The presentation also introduced the recently adopted (in June 2017) amendments to Rules No.1 and No.2 as well as about a new draft Rule No. 3 that focuses on vehicles using Compressed Natural Gas (CNG) and Liquefied Petroleum Gas (LPG).

Another topic was the national implementation of the 1997 Agreement:

- Amending national legislation with requirements for periodic technical inspection.
- Designating a national PTI authority.
- Administrative procedures for granting, extending, suspension of authorisation for PTI test centres and for inspectors.
- Requirements for test centres, equipment, skills & training of inspectors and supervision of test centres.

5. Group discussions moderated by Mr. Konstantin Glukhenkiy of UNECE

Given the fact that around 50 percent of passenger vehicles in Mongolia are with the right driver seating position (e.g. produced for Japan) and they are used in right-hand traffic, the participants were invited to brainstorm on the following questions:

- Do you agree that such vehicles pose some challenges for road safety, compared to “regular” cars with the left-side steering wheel?
- Which shortcoming of such vehicles for road safety can you identify?
- Do you think that using vehicles with the right driver seating position in Mongolia:
 - Should be allowed without any restriction?
 - Should be prohibited?
 - Could be tolerated for a certain period, but phased out in the future?
- Which step-by-step measures can you envisage to discourage people and companies from buying and importing such cars?

The participants agreed that road safety could be seriously undermined by using right hand steering vehicles in the right hand traffic and identified a number of safety challenges for drivers/passengers of such cars and other road users, such as limited visibility when overtaking, turning and parking, obstructing pedestrians, causing glare to oncoming traffic due to mismatching headlamp beams, absence of adequate passive safety features for the front passenger (left to the driver), etc. During the discussion, participants referred to road accidents statistics which demonstrated that right hand steering cars are prone to accidents and that most fatal accidents on rural roads involve such cars.

At the same time, participants stressed that, for economic reasons, the immediate prohibition of importation and/or use of right hand steering vehicles is not feasible. Instead, a step-by-step measures like tax incentives (higher excise tax and import duty, higher insurance premiums and vehicle ownership tax) are required to phase out such cars. Apparently, the Government and civil society had agreed to reduce by 90 per cent the number of right hand steering vehicles by 2020.

IV. Conclusions

As co-organizers of the workshop, Mr. Konstantin Glukhenkiy and Ms. Sabrina Mansion of UNECE provided final remarks with overall reflections and next steps:

- Participants were satisfied by the intense discussion and showed interest to repeat the experience with more time and technical explanations.
- Immediate requests have come from the representatives of Mongolia for support to plan and organize participation in the UNECE relevant meetings (WP.15, WP.29) and detailed technical training of the competent authorities for the implementation of the four agreements.