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Report of the Working Party on Road Transport on its 116th session

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I. Attendance

1. The Working Party on Road Transport (SC.1) held its 116th session on 13-15 October 2021, chaired by Mr. R. Symonenko (Ukraine). The following United Nations Economic Commission for Europe (ECE) member States were represented in the meeting: Andorra, Austria, Finland, France, Georgia, Germany, Israel, Latvia, Liechtenstein, Poland, Norway, Russian Federation, Slovakia, Slovenia, Sweden, Switzerland, Turkey, Ukraine and Uzbekistan.
2. The following non ECE member States participated: State of Palestine and Iran (Islamic Republic of).
3. The European Commission, EuroMed Transport Project, Transport and Communication Secretariat (ECO), the following non-governmental organizations were represented: The International Air Transport Association (AITA) Association of International Road Carriers (ASMAP), Council of Bureaux (CoB), Pars ArGe, In Group, International Road Transport Union (IRU), The Moscow Chamber of Commerce and Industry, National Association of Automobile and Urban Passenger Transport Enterprises and The Confederation of Organizations in Road Transport Enforcement (CORTE).

II. Adoption of the agenda (agenda item 1)

4. The Working Party on Road Transport adopted the session's agenda (ECE/TRANS/SC.1/415). All of the presentations that were given during the meeting are available at <https://unece.org/info/events/unece-meetings-and-events/road%20transport>.

III. Inland Transport Instruments (agenda item 2)

A. European Agreement concerning the Work of Crews of Vehicles Engaged in International Road Transport (AETR)

1. Status of the Agreement

5. The secretariat informed SC.1 that there was no change with the AETR Agreement.

2. AETR Group of Experts

6. The Chair of the AETR Group of Experts updated SC.1 on the work of the AETR Group of Experts, especially on the work of the Group of Experts to reconcile the AETR regime in European Union (EU) and non-EU AETR contracting parties following the introduction of the smart tachograph in the EU on 15 June 2019.

7. At the last session, SC.1 considered the issue of changing the name of the AETR Agreement by deleting the term "European" from the title and agreed to keep this issue on the agenda of future sessions. Making this change would be consistent with the fact that there are currently five non-European countries which are eligible to accede to the Agreement and also with the Inland Transport Committee (ITC) Strategy document's (ECE/TRANS/288/Add.2, table 1) priority actions to amend legal instruments with geographical and procedural barriers by 2025.

8. The Secretary of the AETR Group of Experts informed SC.1 that the group had requested that the secretariat present to its parent body the following text (in English from the AETR Group's Informal document No.1 (June 2021)) as a possible way of amending AETR Article 14 in order to open up the agreement globally:

9. "The 1968 Convention on Road Traffic, (modified) Article 45

This Agreement is open for accession by all States Members of the United Nations or of any of the specialized agencies or of the International Atomic Energy Agency or Parties to the Statute of the International Court of Justice, and by any other State

invited by the General Assembly of the United Nations to become a Party to the Agreement.”

10. SC.1 expressed support and encouraged a contracting party to the agreement to formally submit this amendment proposal.

B. European Agreement on Main International Traffic Arteries (AGR)

1. Status of the Agreement

11. The secretariat informed SC.1 that there was no change in the number of contracting parties to AGR, which stands at 38.

2. Amendments to the Agreement

12. At the 114th session, the secretariat drew attention to article 5 of AGR which covers eligibility to become a contracting party. SC.1 members agreed to consult their capitals on whether it would be appropriate to open AGR to accession by non-ECE member States, and to revert on this matter at the last session. As there was no feedback at the last session, SC.1 decided to postpone making a decision.

13. With interventions from Latvia, Germany and Austria, SC.1 discussed the potential benefits and scope of amendments that might be needed if contracting parties were to support the opening up of the agreement, including that connection points between regional networks could be an alternative to naming capitals and major cities for each E-road in Annex I.

14. To facilitate a thorough consideration of this matter by contracting parties, the Chair requested the secretariat to invite representatives of other UN regional commissions to provide information on their equivalent regional agreements. Such exchange would be beneficial for all regional commissions and could provide a starting point for the identification of appropriate connection points between regional networks.

C. Convention on the Contract for the International Carriage of Goods by Road (CMR)

1. Status of the Convention

15. The secretariat informed SC.1 that there was no change in the number of contracting parties to CMR, which stands at 58.

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

16. The secretariat informed SC.1 that there was no change in the number of contracting parties to the Protocol to the Convention, which stands at 48. The secretariat also informed SC.1 that SC.1's report from the last session had erroneously reflected the number of contracting parties as 45.

3. Additional Protocol to the CMR concerning the Electronic Consignment Note (e-CMR)

17. The secretariat informed SC.1 that since its last session, Uzbekistan has acceded to the Additional Protocol to the Convention, bringing the total number of contracting parties to 29. Germany advised that it would be depositing its instrument of accession to the Additional Protocol to the Convention shortly.

18. Slovenia, Germany, Latvia, the International Road Transport Union, and the Union of Chambers and Commodity Exchanges of Turkey tabled a paper on the operationalization of e-CMR (ECE/TRANS/SC.1/2021/1) based on the discussions and work of the informal group of experts on e-CMR between May 2020 to July 2021 following ITC's request for a paper on the topic at its eighty-first session. Slovenia introduced the paper which was comprised of five sections (background and introduction, benefits and costs of

implementation, e-CMR pilot projects, lessons learned and conclusions). SC.1 expressed its appreciation to the authors and noted the information and conclusions of the paper, and requested that it be submitted to ITC at its next session.

19. SC.1 was also invited to consider two papers prepared by the secretariat as a follow up to the above-mentioned paper (ECE/TRANS/SC.1/2021/1). The first (ECE/TRANS/SC.1/2021/2) was a comparison analysis of the operational procedures stipulated in the e-CMR protocol and the services provided by the several pilot projects to date. The second paper (ECE/TRANS/SC.1/2021/3) contained several scenarios for a possible high level architecture of a future e-CMR system including a concrete proposal made by the secretariat on the development of an international e-CMR registry/system in the framework of ECE.

20. SC.1 decided to establish a formal group of experts on the operationalization of the eCMR procedure for 2 years (2022 and 2023) to discuss and if possible agree on the requirements of article 5 of the Additional Protocol to CMR including the objective/scope, the high level architecture, and the conceptual specifications for a future environment that would support the conclusion and exchange of electronic consignment notes in accordance with the provisions of CMR and its Additional Protocol. Such work should also include an impact assessment of possible implementation scenarios of a future eCMR environment. The Group of Experts should define/describe in particular (non exhaustive list):

- Scope / Objectives of a future eCMR environment;
- Stakeholders of the eCMR environment;
- High level architecture of the eCMR environment;
- The method for the issuance and the delivery of the electronic consignment note to the entitled party;
- An assurance that the electronic consignment note retains its integrity;
- The manner in which the party entitled to the rights arising out of the electronic consignment note is able to demonstrate that entitlement;
- The way in which confirmation is given that delivery to the consignee has been effected;
- The procedures for supplementing or amending the electronic consignment note;
- The procedures for the possible replacement of the electronic consignment note by a consignment note issued by different means.
- Conceptual specifications;
- Impact assessment.

21. All possible stakeholders from Governments and the private sector should be invited to participate in the group. The proposed terms of reference of the group can be found in the annex to this report. SC.1 requested the secretariat to submit the approved terms of reference to ITC and EXCOM for final approval.

D. New legal instrument(s):

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

22. At its 114th session, SC.1 resumed its discussion with the attendance of representatives from the Russian Federation, Switzerland and Turkey. The Russian Federation indicated that it was prepared to accept the proposed wording reflected in paragraph 3 of Article 25 of ECE/TRANS/SC.1/2015/3 but not the “alternate wording” option. The Russian Federation withdrew its reservation to the text of paragraph 10 of Annex VI. In addition, the Russian Federation proposed additional text to the “Important notice” part of the application for authorization contained in Annex I. The Chair requested that the Russian Federation, Switzerland and Turkey work together (e.g. through “Friends of Chair”

meetings or other informal methods) to finalize the text of the draft agreement, and to submit a finalized text for adoption at the last session. Due to disruptions to usual work processes arising from the Covid 19 pandemic, such meeting/s did not take place in 2020.

23. The secretariat informed SC.1 that, after the last session, it had followed up with the Russian Federation, Switzerland and Turkey to ascertain their continued interest in this matter. The secretariat shared the replies received from Switzerland and Turkey on 18 and 30 November 2020 respectively. In summary, Switzerland and Turkey indicated that they would not be continuing their involvement in discussions on the proposed agreement.

24. In light of these developments as well as the challenges posed by the Covid 19 pandemic on passenger services, SC.1 decided to keep this item on its agenda but to suspend further discussions on this topic until the transport sector has had the opportunity to more fully recover (i.e. in 2023 or 2024).

25. The European Commission provided an update that the Protocol to the Interbus Agreement regarding Morocco had been withdrawn at the request of Morocco. The EC also advised that the Protocol to the Interbus Agreement regarding regular and special regular services has been open for signature and ratification since 23 October 2020. It has been signed by two contracting parties, and others have expressed their interest in signing and ratifying the Protocol following internal procedures. SC.1 requested an update from the European Commission at its next session.

E. Consolidated Resolution on the Facilitation of International Road Transport (R.E.4)

The relationship between the origin of goods and transport operations

26. At its 114th session, SC.1 requested that Latvia, Poland, the Russian Federation, and Turkey discuss the alternative definitions listed in paragraphs 47 and 48 of the report from that session (ECE/TRANS/SC.1/412), and agree on a definition of “bilateral transport” as a new subpoint 4.1.9 in ECE/TRANS/SC.1/2019/3/Rev.1 to be submitted for its 115th session.

27. At the last session, Poland submitted Informal document No. 5 in place of ECE/TRANS/SC.1/2019/3/Rev.1 and the Chair invited Poland, the Russian Federation and Turkey to work together to submit a joint proposal or alternatively separate proposals at this session.

28. Poland informed SC.1 that it had followed up with Turkey and the Russian Federation prior to the meeting but that they had yet to come to an agreement on a joint proposal. Following an exchange of views by Poland, Turkey and the Russian Federation, the Chair renewed the invitation to the proponents to work together to either submit a joint proposal or separate proposals at the next session.

IV. Supporting New Technologies and Innovations in Inland Transport (agenda item 3)

Digital/smart road infrastructure

29. Liechtenstein gave a presentation on managing a vehicle’s life cycle with blockchain technology. SC.1 highly appreciated the presentation and discussed the applicability of the model/approach to other countries and various aspects of transport logistics.

30. For the next session, Poland volunteered to make a presentation on its digital systems for taxi services and other similar transport services for the purpose of registration of fiscal transactions and collection of taxes through the use of virtual devices.

V. Regional, Interregional and Global Inland Transport Policy Dialogues (agenda item 4)

Quantitative restrictions imposed on international road transport of goods

31. At its 114th session, the European Commission advised that the transit charges which Turkish hauliers pay in Bulgaria, Greece and Romania were compatible with the European Union-Turkey Customs Union. The representative of Austria referred to a decision of the European Court of Justice C629/16 which declared the system of bilateral quotas to be in line with the European Union-Turkey Customs Union.

32. Due to time constraints at the last session, SC.1 was unable to discuss this item and decided to keep it on its agenda for this session so that Turkey and the European Commission could provide an update on this matter if desired.

33. Austria provided information on two cases, including C629/16, regarding dispute settlement and suggested that the dispute settlement system as agreed in the treaty on the customs union was the best avenue for resolving such disputes. As there was no further contribution, SC.1 decided to retain this item on its agenda for the next session.

VI. Promoting Sustainable Regional and Interregional Inland Transport Connectivity and Mobility (agenda item 5)

A. Safe and sustainable road infrastructure

1. Road safety inspections and audits

34. At its 114th session, SC.1 decided to consider the topic of safe and sustainable road infrastructure in general as a new item on its agenda for future sessions (para 25, ECE/TRANS/SC.1/412).

35. Due to time constraints at its last session, SC.1 decided to defer its discussion to this session. Latvia emphasised the role of road safety audits and technical inspections as one of several tools to accomplish the goal of safe infrastructure for all road users and to prevent accidents. SC.1 decided to retain this item on its agenda for the next session for further discussion.

2. Climate Change Impacts and Adaptation for Transport Networks and Nodes

36. The secretary to the Group of Experts on Assessment of Climate Change Impacts and Adaptation for Inland Transport (WP.5/GE.3) reported on the progress made in the implementation of the Group's mandate. This included work carried out to identify climate impacts of interests to transport professionals, consideration of thresholds as well as infrastructure network criticality assessment and the ongoing review by the Group of adaptation asset fact sheets and case studies to identify existing gaps.

37. Information on the past and planned workshops held under the auspices of the Group was also shared. This includes a conference to be held in Moscow on 15-16 November 2021 on Assessment of Climate Change Impacts: Deployment of New Technologies and Materials for Maintaining Design Road Characteristics During Adaptation of Transport Infrastructure to Climate Change. SC.1 appreciated the information and requested an update at its next session.

38. The secretariat advised SC.1 that it had been in contact with the European Commission on the possibility of obtaining shapefiles relating to E-roads from the TEN-T database. A further update will be provided at the next session.

3. Benchmarking for transport infrastructure

39. The Secretary of the Group of Experts on Benchmarking Transport Infrastructure Construction Costs (WP.5/GE.4) provided an update on the work of the group including its mandate extension, activities to date, and its achievements and challenges. Members of SC.1 were also encouraged to respond to a newly developed questionnaire on transport maintenance and operation costs, which was the subject of a recent e-mail by the secretariat to SC.1.

B. Trans-European North-South Motorway (TEM) Project

40. The TEM Project Manager gave a presentation on substantive progress of the TEM project since the last session. This included the TEM reports published as UNECE publications, i.e.: “Building Information Modelling (BIM) for road infrastructure: TEM requirements and recommendations”, “Business models for the road sector/TEM Network: considerations and recommendations”, “Tools for asset management: TEM recommendations for road operators”. Strategic areas of the TEM project for 2022-2026 were also shared. These included safe and sustainable mobility (including resilience), new technologies, transport policy (including multimodal planning, project delivery and financing), operations and performance management.

41. Finally, possible areas of cooperation with SC.1 were suggested, including the preparation of a paper on best practices on road safety audits and technical inspections. The Chair welcomed the suggestion and invited SC.1 members, with the assistance of the secretariat, to be involved in the preparation of the paper or other appropriate document for the next session.

VII. Facilitation of international road transport (agenda item 6)

International Motor Insurance System (Green Card)

42. The Managing Director of the Council of Bureaux (CoB) tabled two documents. ECE/TRANS/SC.1/2021/4 contained a proposal to have the possibility of the international motor insurance certificate (green card) presented as a PDF on electronic devices. The CoB also proposed to have Annex 1 of RE.4 as a separate/standalone consolidated resolution. Informal document No. 1 provided information on recent developments in the “Green Card system”.

43. SC.1 appreciated the yearly update and welcomed CoB’s initiatives towards digitalization in general, including the proposal to have the possibility of the international motor insurance certificate (green card) presented as a PDF on electronic devices. SC.1 decided to defer its discussion on ECE/TRANS/SC.1/2021/4 to its next session after SC.1 members have had the opportunity to consult capitals and other relevant authorities.

VIII. Revision of SC.1 Terms of Reference and Rules of Procedure (agenda item 7)

44. In 2016, Belgium and Germany submitted a proposal for changes to SC.1 terms of reference and rules of procedures (Informal document (2016) Nos 3 and 4). At the last session, Germany submitted ECE/TRANS/SC.1/2020/2 which consolidated the changes from the earlier informal documents. Due to time constraints, SC.1 decided to defer its discussion until this session.

45. Adopting a paragraph by paragraph reading of the document, SC.1 considered the existing and proposed new text contained in the preamble and the annex. For the next session, SC.1 will commence its reading and consideration from Rule 1 of the Rules of Procedure. The Chair requested SC.1 members to provide their feedback (if any) to Germany and secretariat by 30 June 2022 so that ECE/TRANS/SC.1/2020/2/Rev.1 may be prepared for the next session reflecting the feedback received on the preamble and annex.

IX. Activities of interest to the Working Party (agenda item 8)

A. National delegations

46. There were no updates by national delegations.

B. International organizations

47. There were no updates by international organizations.

C. Activities of United Nations Economic Commission for Europe (UNECE) bodies and other United Nations organizations

48. The Working Party was informed about the results of relevant sessions of the Inland Transport Committee (ITC) and its subsidiary bodies.

49. The Secretary of the Global Forum on Road Traffic Safety (WP.1) provided information on WP.1 work related to digitalization including the amendment proposal for a new article 34bis of the 1968 Convention on Road Traffic, a draft resolution on activities other driving by a driver when the automated driving system is exercising dynamic control, audible/optical signals and the establishment of a new group of experts on drafting a legal instrument on the use of automated vehicles in traffic. The report of WP.1 may be found at <https://unece.org/transport/events/wp1-global-forum-road-traffic-safety-83rd-session>.

50. The Secretary of the Working Party on Transport Trends and Economics (WP.5) updated SC.1 on WP.5's efforts aimed at operationalization of Euro-Asian Transport Links/Corridor-based action and the International Transport Infrastructure Observatory. Information on the efforts of the WP.5-led Informal Multidisciplinary Advisory Group on Transport Responses to COVID-19, and the Sustainable Inland Transport Connectivity Indicators (SITCIN) for road, rail, inland waterways and inter-modal transport was also shared.

51. The secretariat also updated SC.1 on its car-sharing and car-pooling project focussed on Central Asian countries including on upcoming deliverables such as a final report.

52. In light of the synergies of the above working parties and project with SC.1 and its work, SC.1 requested updates from the secretariat on all of these at the next session.

X. Other business (agenda item 9)

53. SC.1 requested the Secretary to update relevant documentation on the status of implementation of ITC's 2030 Strategy to reflect progress made on items related to SC.1's work including e-CMR, OmniBUS, digital infrastructure.

XI. Date of next session (agenda item 10)

54. The Working Party was informed that its next session has been scheduled for 18 to 20 October 2022. The deadline for the submission of formal documents is 22 July 2022.

XII. Adoption of the report (agenda item 11)

55. The Working Party adopted the report of this session.

Annex

Terms of reference for the Group of Experts on the operationalization of eCMR

Note by the secretariat

I. Introduction

1. This document contains the mandate and terms of reference for a new Group of Experts on the operationalization of eCMR. The Working Party on Road Transport (SC.1) at its 116th session (Geneva, 13-15 October 2021) recommended the establishment of the new Group of Experts and adopted the terms of reference, as provided below. SC.1 also requested the secretariat to submit the terms of reference to ITC for their approval at its next session in February 2022.

II. Mandate

2. The Group of Experts on the operationalization of eCMR will discuss and if possible agree on the requirements of article 5 of the Additional Protocol to CMR including the objective/scope, the high level architecture, and the conceptual specifications for a future environment that would support the conclusion and exchange of electronic consignment notes in accordance with the provisions of CMR and its Additional Protocol. Such work should also include an impact assessment of possible implementation scenarios of a future eCMR environment.

3. The Group of Experts, in view of the complexity of its task, is established for 2 years: 2022–2023.

III. Terms of Reference

A. Tasks

4. The Group of Experts should define/describe in particular (non exhaustive list):
- Scope / Objectives of a future eCMR environment;
 - Stakeholders of the eCMR environment;
 - High level architecture of the eCMR environment;
 - The method for the issuance and the delivery of the electronic consignment note to the entitled party;
 - An assurance that the electronic consignment note retains its integrity;
 - The manner in which the party entitled to the rights arising out of the electronic consignment note is able to demonstrate that entitlement;
 - The way in which confirmation is given that delivery to the consignee has been effected;
 - The procedures for supplementing or amending the electronic consignment note;
 - The procedures for the possible replacement of the electronic consignment note by a consignment note issued by different means.
 - Conceptual specifications;
 - Impact assessment.

B. Methods of work

5. The Group of Experts will be established and function in accordance with the ECE Guidelines for teams of specialists approved by the Executive Committee of ECE on 31 March 2010 (ECE/EX/2/Rev.1). At its first meeting, the Group of Experts will adopt a work plan defining its specific activities, including a time schedule for each activity.
6. The Group of Experts is expected to meet at least three times during 2022 and three times during 2023 before submitting its final report at the 118th session of Working Party on road transport in 2023. The meetings should be held at the Palais des Nations in Geneva, unless hosted by countries or partner organisations.
7. The Chair of the Group of Experts should report on the ongoing work at the annual session of the Working Party on Road Transport.
8. Translation of documents and simultaneous interpretation of its sessions in English, French, and Russian shall be provided by UNECE for all sessions held at the Palais des Nations in Geneva.
9. Participation in the Group of Experts is open to all concerned United Nations member countries and experts. Interested intergovernmental and non-governmental organizations, as well as concerned freight and forwarding / transport logistics industries are invited to participate and provide expert advice in compliance with United Nations rules and practices.

C. Secretariat

10. ECE will provide secretariat services to the Group of Experts and shall ensure close cooperation with all stakeholders, including the secretariats to the Working Party on Customs Questions affecting transport (WP.30) and the International Road Transport union (IRU).
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