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Global Forum for Road Traffic Safety

Group of Experts on drafting a new legal instrument on the use of automated vehicles in traffic

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Item 2 of the provisional agenda

Substantive activities

Historical background of the Conventions related to road traffic and traffic safety

Note by the secretariat

This document provides an overview of the history of the conventions on road traffic and traffic safety. It is based on the introduction included in the publication of the consolidated version of the 1968 Vienna Convention on Road Traffic, issued in 2006. This overview shows the significant number of conventions adopted in order to address road traffic challenges, their geographical scope as well as some information about their content and context. It shows that traffic rules and road signs and signals were often addressed simultaneously. It highlights that the technical workstream related to vehicles and their construction was decoupled from the workstream related to the road traffic conventions while remaining in synchronization.

Summary

This document provides the Group of Experts with:

- (a) An overview of conventions on road traffic and traffic safety; and
- (b) Some details concerning the context when these conventions were adopted

I. Introduction

1. The development of the automobile started in 1672 with the invention of the first steam-powered vehicle. Production vehicles began appearing in 1887, when the first car was patented in 1886, which is regarded as the birth year of the car. Cars became widely available in the early 20th century. Due to the expansion of mechanically propelled vehicles, the concerns with the technology in terms of safety, noise and pollution increased and therefore, various national legislations were established to mitigate these accidents. The involvement of vehicles in international traffic led to the adoption of international conventions on road traffic and road traffic safety.

2. This document provides an overview of the history of conventions on road traffic, as well as some insights about the reasons for elaborating a new convention, the way it had been drafted and challenges. It is mainly based on the information provided in the consolidated version of the 1968 Vienna Convention on Road Traffic of 2006 (https://unece.org/DAM/trans/conventn/Conv_road_signs_2006v_EN.pdf).

II. Overview of Conventions on Road Traffic

A. Convention with Respect to the International Circulation of Motor Vehicles, 1909

3. The origins of international legislation on road traffic goes back to the Convention with respect to the International Circulation of Motor Vehicles, concluded in Paris in October 1909, which aimed at facilitating the international circulation of motor vehicles, as far as possible.

4. The Convention entered into force on 1 May 1910.

5. The archives of the Republic of France were the depository of ratification instruments for this Convention. An informal copy of the Convention is provided below:

https://upload.wikimedia.org/wikipedia/commons/6/67/Convention_internationale_relative_%C3%A0_la_Circulation_des_Automobiles%2C_Paris%2C_1909.pdf

B. International Conventions on Motor Traffic and on Road Traffic, 1926

6. Following World War One, the expansion of motor vehicle traffic led to the conclusion of two International Conventions in Paris in 1926, one on Motor Traffic (<https://treaties.un.org/doc/Publication/UNTS/LON/Volume%20108/v108.pdf>, p. 123), focusing on motor vehicles, and one on Road Traffic (<https://treaties.un.org/doc/Publication/UNTS/LON/Volume%2097/v97.pdf>, p. 84), focusing on traffic rules for road traffic including motor vehicles, as well as draught, pack or saddle animals.

7. These Conventions were intended to amend the Convention on International Circulation of Motor Vehicles of 1909.

8. Various texts had served as a basis for these Conventions, the draft prepared by the League of Nations Special Committee of Enquiry on Road Traffic, as well as drafts by the French Government and by the Swedish Government.

9. The Convention on Motor Traffic entered into force on 24 October 1930.

10. The Convention on Motor Traffic was signed by 41 countries; 29 countries ratified it and 21 acceded to it.

11. The Convention on Road Traffic was signed by 23 countries; 16 countries ratified it and 15 acceded to it.

C. Convention concerning the Unification of Road Signs, 1931

12. As the 1926 Convention did not deal exhaustively with road signs and signals, a Convention concerning the Unification of Road Signs was concluded in Geneva in March 1931 to fill this gap.

13. The Convention entered into force on 16 July 1934.

14. The text can be found online on the website of the Office of Legal Affairs: <https://treaties.un.org/doc/Publication/UNTS/LON/Volume%20150/v150.pdf>, page 247. (<https://treaties.un.org/pages/LONViewDetails.aspx?src=LON&id=576&chapter=30&clang=en>).

15. The Convention was signed by 15 countries; 6 countries ratified it and 3 acceded to it.

D. Convention on the Regulation of Inter-American Automotive Traffic, 1943

16. In December 1943, the States of the Two Americas, meeting under the auspices of the Pan American Union in Washington, D.C., concluded a Convention on the Regulation of Inter-American Automotive Traffic.

17. A copy of the text of the Convention can be found here: <https://digitallibrary.un.org/record/1485211>

18. The Convention was signed by 17 countries; 12 countries ratified it and deposited the instrument of ratification.

19. This regional Convention did not deal with signs and signals.

E. Geneva Convention on Road Traffic and Protocol on Road Signs and Signals, 1949

20. In 1948, noting that the Conventions of 1926 and 1931 were obsolete, the United Nations Economic and Social Council (ECOSOC) called for a United Nations Conference on Road and Motor Transport by resolution No. 147 B (VII) to be convened in Geneva.

Note: See <https://treaties.un.org/doc/Publication/UNTS/Volume%20125/v125.pdf>, p. 3 and https://treaties.un.org/doc/source/docs/E_RES_147B_VII-E.pdf for more details.

21. This Conference based its work on a draft convention prepared by the Inland Transport Committee (ITC) of the United Nations Economic Commission for Europe (UNECE), resulting from a study by the Committee, and on the 1943 Convention on the Regulation of Inter-American Automotive Traffic. In 1949, the work of the Conference resulted in the conclusion of a Convention on Road Traffic and a Protocol on Road Signs and Signals, intended to “promot[e] the development and safety of international road traffic by establishing certain uniform rules.”

Note: see more details on the website of the Office of Legal Affairs: https://treaties.un.org/Pages/ViewDetailsV.aspx?src=TREATY&mtdsg_no=XI-B-1&chapter=11&Temp=mtdsg5&clang=en and https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=XI-B-3&chapter=11&clang=en

22. The Geneva Convention on Road Traffic entered into force on 26 March 1952, in accordance with Article 29, and replaced the 1926 Conventions and the 1943 Inter-American Convention, with respect to the Contracting States. The two instruments provided a procedure for amendments without the need for calling a conference, provided that two thirds of the Contracting States agreed. The procedure was initiated for both instruments but only bore fruits in the case of the Protocol, which was amended with effect as of October 1964.

23. The Convention was signed by 20 countries; 17 countries ratified it, 58 acceded to it, and 27 succeeded to it.

F. Vienna Convention on Road Traffic, 1968

24. In 1964, ECOSOC noted that the procedure for a revision of the 1949 Convention, without convening a conference, had failed so far. Furthermore, due to the amendment procedure, it was not possible to incorporate amendments to the 1949 Protocol to the desired extent.

25. By resolution 1034 (XXXVII), the Council decided that in preparation for a conference, detailed technical studies should be undertaken for the preparation of a revised draft convention on road traffic and on standard technical specifications for vehicles, as well as of a draft instrument on road signs and signals and on road markings. It was stipulated that especially the regional economic commissions should take part in that work.

26. In the following year, after taking note of the draft texts prepared by the Secretary-General (E/3998 and Add.1, and E/3999 and Add.1), ECOSOC decided that a conference should be convened in order to prepare a new convention on road traffic to replace the 1949 Convention, and to develop either another convention or an optional protocol on road signs and signals (resolution 1082 (XXXIX)).

27. In July 1966, ECOSOC made the final arrangements for the preparation of the conference by resolution 1129 (XLI) (https://treaties.un.org/doc/source/docs/E_RES_1129_XLI-E.pdf), which was amended by resolution 1203 (XLII) (https://treaties.un.org/doc/source/docs/E_RES_1203_XLII-E.pdf). Furthermore, it decided that two draft conventions should be prepared as a basis for the work of the Conference (E/CONF.56/1 and Add.1 and Corr.1; E/CONF.56/3 and Add.1 and Corr.1) and that these texts should be circulated to governments and to international organizations concerned to prepare proposals for amendments as deemed necessary.

28. The preparatory work, in particular the drafting of the texts, was undertaken by the predecessor of the current UNECE Working Group on Road Traffic Safety (WP.1).

29. The Conference was held from 7 October to 8 November 1968 in Vienna and ended on 8 November with the opening ceremony for signature of the two texts adopted, the Convention on Road Signs and Signals (E/CONF.56/17/Rev.1) and the Convention on Road Traffic (E/CONF.56/16/Rev.1).

Note: See more details on the website of the Office of Legal Affairs: https://treaties.un.org/Pages/ViewDetailsIII.aspx?src=TREATY&mtdsg_no=XI-B-20&chapter=11&Temp=mtdsg3&clang=en and https://treaties.un.org/Pages/ViewDetailsIII.aspx?src=TREATY&mtdsg_no=XI-B-19&chapter=11&Temp=mtdsg3&clang=en.

30. Upon its entry into force on 21 May 1977, in accordance with article 47, the 1968 Convention, in accordance with article 40, terminated and replaced, with respect to Contracting Parties, previous road signs and signals conventions, notably the Protocol on Road Signs and Signals of 1949.

31. Following the opening for signature of the Vienna Convention on Road Signs and Signals, ITC requested UNECE's Group of Experts on Road Traffic Safety to prepare a draft Agreement supplementing the Vienna Convention, considering that greater uniformity of rules governing road signs and signals in Europe was needed.

32. The final text of that Agreement was approved by ITC in May 1971 (see document E/ECE/812-E/ECE/TRANS/566) and was opened for signature the same day. This Agreement was supplemented in March 1973 by a Protocol on Road Markings, which entered into force on 25 April 1985.

33. The Convention on Road Traffic was signed by 37 countries; 26 countries ratified it, 51 acceded to it, and 8 succeeded to it.

34. The Convention on Road Signs and Signals was signed by 36 countries; 23 countries ratified it, 38 acceded to it, and 8 succeeded to it.

III. Establishment of technical provisions

35. The Conventions dealing with road traffic, including the Geneva Convention on Road Traffic of 1949, included general technical provisions (on braking, steering, lighting, noise, etc.), which identified vehicle characteristics as a major cause of road traffic crashes, deaths, and injuries. Therefore, UNECE's subcommittee on Road Transport (SC.1) called by resolution 45 for the establishment of a working party of experts competent in the field of technical requirements for vehicles, in order to implement the general technical provisions, set out in the Convention.

36. The Working Party on the Construction of Vehicles was established in June 1952 under the auspices of ITC (and became the World Forum for Harmonization of Vehicle Regulations, WP.29, in 2000).

37. In 1956 the governments of the Federal Republic of Germany, France, Italy and the Netherlands signed an Agreement on the subject of adoption of harmonized requirements for headlamps emitting an asymmetrical passing beam. This Agreement showed the need for harmonized requirements but also addressed the problems of diverse national regulations for the first time, which could disrupt the free flow of commerce across borders.

38. In March 1958, the Federal Republic of Germany proposed to establish an agreement under the auspices of UNECE to facilitate the adoption of uniform conditions for the approval of motor vehicles and their reciprocal recognition. The 1958 Agreement (so-called '58 Agreement) entered into force on 20 June 1959.

39. In 1997, the World Forum established the 1997 Agreement regarding provisions on Periodical Technical Inspections of vehicles in use.

40. In 1998, WP.29 established the 1998 global Agreement, concerning the Establishing of Global Technical Regulations for Wheeled Vehicles, Equipment and Parts which can be fitted and/or be used on Wheeled Vehicles.

41. Despite the establishment of the 1958 Agreement, technical conditions concerning motor vehicles are still part of the Vienna Convention of 1968, see e.g., Annex 5, which highlights that the Convention and the Agreements are still connected. In the past, the general technical provisions laid out in the Conventions served as a basis and are elaborated in more detail in the Agreements. The technical progress and the simplicity provided by the 1958 and 1998 Agreements led to the prompt adoption of technical regulations (e.g., dealing with the performance of Lighting and Light-Signalling, of Anti-lock Braking Systems, of Electronic Stability Controls), which were incorporated at a later stage by the Convention.

42. The aforementioned developments highlight the importance of collaboration and coordination between the Working Parties and Groups of Experts dealing with automated vehicles.