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Report of the Working Party on Road Transport on its 117th session

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I. Attendance

1. The Working Party on Road Transport (SC.1) held its 117th session on 18-20 October 2022, chaired by Mr. R. Symonenko (Ukraine). The following United Nations Economic Commission for Europe (ECE) member States were represented in the meeting: Austria, Belarus, Bulgaria, Croatia, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Israel, Italy, Latvia, Liechtenstein, Lithuania, Malta, Norway, Poland, Portugal, Romania, Russian Federation, Slovakia, Slovenia, Spain, Sweden, Switzerland, Türkiye, Ukraine, United Kingdom (UK) and Uzbekistan.
2. The following non ECE member States participated: Iran (Islamic Republic of), Jordan, Lebanon, Morocco and State of Palestine.
3. The following United Nations regional commissions and Intergovernmental Organizations also participated: United Nations Economic Commission for Africa (ECA), The Economic Commission for Latin America and the Caribbean (ECLAC), United Nations Economic Commission for Europe (UNECE), The Economic and Social Commission for Asia and the Pacific (ESCAP), the Economic and Social Commission for Western Asia (ESCWA), Association of Southeast Asian Nations, (ASEAN), Common Market for Eastern and Southern Africa (COMESA), Economic Community of West African States (ECOWAS) and General Arab Insurance Federation (GAIF).
4. The European Commission, EuroMed Transport Project, Transport and Communication Secretariat The Economic Cooperation Organization (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)

5. The Working Party on Road Transport adopted the session's agenda (ECE/TRANS/SC.1/417).
6. The presentations that were given during the session are available at <https://unece.org/transport/events/sc1-working-party-road-transport-117th-session>.

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

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

2. AETR Group of Experts

8. 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.
9. At the last session, SC.1 expressed support for a proposal by the AETR Group of Experts to amend article 14 in order to open up the agreement globally, using the example of article 45 of the 1968 Convention on Road Traffic: "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 encouraged a contracting party to the agreement to formally submit an amendment proposal. As no amendment proposal has been received, AETR contracting parties were encouraged to consider submitting such.

11. SC.1 agreed to extend the mandate of the Group of Experts until 30 June 2025 and requested UNOG Conference Services to provide the meeting rooms, interpretation services, and document translation for three meetings per year, subject to the requested extension’s endorsement by ITC and approval by EXCOM.

12. On the matter of the extension of the Administrative Arrangement between UNECE and European Commission Services on continuing activities envisaged in the Memorandum of Understanding between the European Commission and UNECE of 2009, Belarus and the Russian Federation recalled their positions, which are contained in Annex 1.

13. The Czech Republic requested SC.1 to take a decision by vote on the extension of the Administrative Arrangement between UNECE and the European Commission Services without any modifications.

14. The Russian Federation, with the support of Belarus, reiterated their position highlighting its impact on the conditions for road transport such as road traffic safety, labour safety and unfair conditions as replicated in Annex 2.

15. The Chair asked SC.1 to vote to decide on the Czech proposal by voting. SC.1 agreed with 20 member States in favour, one member State against, and there were no abstentions.

16. The outcome of the voting on the Czech proposal was that twenty votes were cast in favour, no member States objected, and there were no abstentions.

17. Therefore SC.1 decided to authorize the ECE secretariat to sign the Administrative Arrangement between UNECE and European Commission Services on continuing activities envisaged in the Memorandum of Understanding between the European Commission Services and UNECE of 2009, for the period 1 January 2023 to 31 December 2024.

18. The Russian Federation stated that they did not recognize the vote nor the decision by SC.1 and would bring the matter to the Inland Transport Committee (ITC), the Executive Committee (EXCOM) and the ECE Executive Secretary.

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

1. Status of the Agreement

19. 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

20. 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 115th session. As there was no feedback at that session, SC.1 decided to postpone making a decision.

21. To facilitate a thorough consideration of this matter by contracting parties, at the last session the Chair requested the secretariat to invite representatives of other United Nations regional commissions to provide information on their equivalent regional agreements.

22. UNESCAP gave an overview of the Intergovernmental Agreement on the Asian Highway Network (AHN). The key benefits of the agreement to contracting parties were facilitating cross border procedures along the AHN, mobilizing the AHN platform for crisis response and promoting smart solutions along the Asian Highways.

23. SC.1 appreciated the presentation and requested the secretariat to invite other United Nations regional commissions to present on other regional agreements at its next session.

24. The Chair reminded SC.1 participants to consult their capitals on whether it would be appropriate to open AGR to accession by non-ECE member States, so that a discussion and decision may preferably be reached at the next session.

25. Türkiye tabled Informal document No. 2 which contained a proposal amendment to Annex I of the agreement with reference to E99, E691, E881, E981 and E982. The Chair requested that the document be tabled as a formal document at the next session for SC.1's endorsement.

26. The secretariat raised potential aspects of the agreement which could be the subject of future work or proposal amendments. This included the addition of road safety audits to Annex II of the agreement.

3. Implementation of the Agreement

27. As part of the implementation of ITC Strategy until 2030 (contained in ECE/TRANS/2022/3), task 5.4 identifies an opportunity to establish an implementation monitoring mechanism for infrastructure agreements where none exists.

28. SC.1 requested the secretariat's assistance in preparing a survey to be sent to contracting parties to the agreement to enquire about the status of implementation on their territories.

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

1. Status of the Convention

29. 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)

30. 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.

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

31. The secretariat informed SC.1 that since its last session, Germany and Kyrgyzstan have acceded to the Additional Protocol to the Convention, bringing the total number of contracting parties to 31.

4. Group of Experts on operationalization of the Additional Protocol

32. At the last session, 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. Following approval by ITC and EXCOM in the first half of 2022, the Group of Experts was established and met for the first time on 4-5 July. It met for the second time on 4-6 October.

33. The Chair of the Group of Experts informed SC.1 that the Group of Experts had made a good start with the adoption of a programme of work (ECE/TRANS/SC.1/GE.22/2022/1) and an analysis of the provisions of article 5 with the assistance of ECE/TRANS/SC.1/GE.22/2022/2 which was prepared by the secretariat with the input of the group of experts following its first session.

34. The Group of Experts will continue its discussion using ECE/TRANS/SC.1/GE.22/2022/2/Rev.1 at its third session in November 2022.

D. New legal instrument(s):**Proposal for a global multilateral agreement on the international regular transport of passengers by coach and bus (OmniBUS)**

35. At its 114th session, SC.1 resumed its discussion with the attendance of representatives from the Russian Federation, Switzerland and Türkiye. 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 Türkiye 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.

36. At its 115th session, the secretariat informed SC.1 that it had followed up with the Russian Federation, Switzerland and Türkiye to ascertain their continued interest in this matter. The secretariat shared the replies received from Switzerland and Türkiye on 18 and 30 November 2020 respectively. In summary, Switzerland and Türkiye indicated that they would not be continuing their involvement in discussions on the proposed agreement.

37. In light of the above 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).

38. The European Commission shared that the Protocol to the Interbus Agreement regarding regular and special regular services (which has been open for signature and ratification since 23 October 2020) has been ratified by the European Union. It requires at least two other contracting parties besides the European Union to enter into force. The European Commission was requested to provide an update at the 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**

39. At the last session, the Chair renewed an invitation to Latvia, Poland, the Russian Federation, and Türkiye to work together to submit a joint proposal or separate proposals on a definition of “bilateral transport” as a new subpoint 4.1.9 of R.E.4 at this session.

40. Poland and Türkiye tabled ECE/TRANS/SC.1/2022/4 with a proposed definition. At the request of Poland, and as the Russian Federation was not present for this agenda item, SC.1 agreed to postpone its discussion on this item until the next session.

IV. Supporting New Technologies and Innovations in Inland Transport (agenda item 3)**Digital/smart road infrastructure**

41. Poland gave 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.

42. SC.1 appreciated the presentation. The Chair requested volunteer/s willing to give a presentation at the next session to contact the secretariat.

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

Quantitative restrictions imposed on international road transport of goods

43. 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-Türkiye Customs Union. The representative of Austria referred to a decision of the European Court of Justice C-629/16 which declared the system of bilateral quotas to be in line with the European Union-Türkiye Customs Union.

44. At its 115th session, Austria provided information on two cases, including C-629/16, 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.

45. As there was no further discussion at this and its previous session, SC.1 decided to remove this item from its agenda.

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

46. 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 (para 25, ECE/TRANS/SC.1/412).

47. Latvia facilitated the discussion on this topic by emphasising the role of road safety audits (RSA) and technical inspections (RSI) as one of several tools to accomplish the goal of safe infrastructure for all road users and to prevent accidents. Ukraine volunteered to present its good practices on these at the next session.

48. SC.1 invited Latvia and Ukraine to work with the TEM member countries in documenting their RSA and RSI good practices.

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

49. The Secretary of the UNECE Group of Experts on Climate Change Impacts and Adaptation for Transport Networks and Nodes (WP.5/GE.3) provided an update on the work of the group which over the past year has included the creation of maps overlaying climate change projections, and an analysis of possible impacts and areas of vulnerability. He requested input by March 2023 from SC.1 participants on a survey to collect data on disruption in road transport operations due to heavy precipitation and heatwaves and related information. This is for the compilation of business cases for climate change adaptation. SC.1 requested an update at its next session.

50. The secretariat advised SC.1 of the follow up with the European Commission on the possibility of obtaining shapefiles relating to E-roads from the TEN-T database but did not receive a reply.

3. Benchmarking for transport infrastructure

51. The Secretary of the Group of Experts on Benchmarking Transport Infrastructure Construction Costs (WP.5/GE.4) shared that the group had completed its mandate and provided information on the final report and achievements of the group (ECE/TRANS/WP.5/2022/6). SC.1 appreciated the information provided and thanked the Secretary of the Group for his updates at this and previous sessions.

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

52. At the last session, the TEM Project Manager gave a presentation on substantive progress of the TEM project and also suggested possibilities for collaboration between the TEM Project Group and SC.1, such as the preparation of a paper on best practices on road safety audits and technical inspections.

53. At this session, the TEM Project Manager elaborated on potential areas of contribution to SC.1 including analytical works and the identification of current practices in the road infrastructure safety management of TEM member countries and within the ECE region. In addition, guidelines for the implementation of necessary road infrastructure safety management procedures, and a review of the AGR agreement from the perspective of the inclusion of road safety audits and road safety inspections, could also be potential contributions.

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

International Motor Insurance System (Green Card)

54. At the 113th session of SC.1, the Managing Director of the Council of Bureaux (COB) shared that COB wished to abolish the requirement to print the Green Cards in green colour and to issue them in PDFs in black on white colour. SC.1 expressed its support for, and approved, COB's request. It also invited CoB, if CoB deemed it necessary, to provide an amendment proposal to annex 1 of the Revised Consolidated Resolution on the Facilitation of International Road Transport (RE.4) at the 114th session (para 37, ECE/TRANS/SC.1/410).

55. At the 115th session of SC.1, the Managing Director made a presentation to inform SC.1 about recent developments in the "Green Card system", including the possibility to have the green card as a PDF on electronic devices. SC.1 invited COB to table a proposal on this at its 116th session.

56. At the last session, the Managing Director tabled ECE/TRANS/SC.1/2021/4 which contained a proposal to have the possibility of the international motor insurance certificate (green card) presented as a PDF on electronic devices. The paper also proposed that Annex 1 of RE.4 should be a separate/standalone consolidated resolution. SC.1 decided to defer its discussion on ECE/TRANS/SC.1/2021/4 to this session after SC.1 members had the opportunity to consult capitals and other relevant authorities.

57. For this session, COB tabled ECE/TRANS/SC.1/2022/1 as an alternative to ECE/TRANS/SC.1/2021/4. ECE/TRANS/SC.1/2022/1 contained a proposal to have the possibility of the international motor insurance certificate presented as a PDF on electronic devices and some editorial changes to Annex 1. It also included the earlier change approved by SC.1 at its 113th session. SC.1 approved the changes to Annex 1 of R.E.4 per ECE/TRANS/SC.1/2022/1 with the following change in paragraph 3 of Annex 1 as reflected in ECE/TRANS/SC.1/2022/1: deletion of the text "in a Portable Document Format (PDF)".

58. SC.1 also noted ECE/TRANS/SC.1/2022/2 which provided details on recent developments in the "Green Card system" over the past year, and expressed its appreciation to COB for its efforts in keeping the system operating smoothly given the current geopolitics and its impact in the region. The efforts of the Ukrainian Bureau were highlighted and appreciated.

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

59. At the 111th session of SC.1, Belgium and Germany submitted a proposal for changes to SC.1's terms of reference and rules of procedures (Informal document (2016) Nos 3 and 4). At the 115th session, Germany submitted ECE/TRANS/SC.1/2020/2 which consolidated the changes from the earlier informal documents. At the last session, SC.1 considered

the existing and proposed new text contained in the preamble and the annex by adopting a paragraph by paragraph reading of ECE/TRANS/SC.1/2020/2. The Chair requested SC.1 members to provide their feedback on the preamble and annex to Germany and the secretariat so that ECE/TRANS/SC.1/2020/2/Rev.1 could be prepared for this session. No feedback was received.

60. SC.1 commenced its reading and consideration of Rules 1 to 28 of the Rules of Procedure contained in ECE/TRANS/SC.1/2020/2. SC.1 requested that Germany submits ECE/TRANS/SC.1/2020/2/Rev.1 which reflects the changes that were made at this session and the proposed rules to be revisited at its next session.

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

A. National delegations

61. There were no updates by national delegations.

B. International organizations

62. There were no updates by international organizations.

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

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

1. ITC related

64. The secretariat updated SC.1 on the key outcomes from ITC's 84th session in February 2022 which included news of ECOSOC's endorsement of ITC's Terms of Reference (ECE/TRANS/316/Add.2), and ITC's Rules of Procedure (ECE/TRANS/294, annex III), also entering into force on 16 February 2022. Essentially, this development recognizes ITC as a United Nations centre providing a comprehensive platform for consideration of all aspects of inland transport development and cooperation, with special attention to interregional and intraregional regulatory governance through the United Nations transport conventions and other means.

65. The secretariat provided an overview of the Global Plan for the Decade of Action for Road Safety 2021 to 2030 which was launched in October 2021 (<https://www.who.int/publications/m/item/global-plan-for-the-decade-of-action-for-road-safety-2021-2030>). The Global Plan refers to ITC's recommendations for enhancing national road safety systems. SC.1 participants were invited to incorporate the Global Plan in their work activities where relevant, with particular emphasis on safe roads and road infrastructure.

66. On 3 May 2022, the ITC Chair and the Director of the Sustainable Transport Division wrote to the Chairs of every ITC working party advising of, and seeking input on, several matters including the following three which are relevant to SC.1. Firstly, the implementation of the ITC Strategy as relevant for each working party. Updates to the implementation status of the ITC Strategy by providing necessary additions and changes to the status column in ECE/TRANS/2022/3 were requested by 21 October 2022. Using ECE/TRANS/SC.1/2022/3 which was prepared by the secretariat, SC.1 approved the suggested responses and requested the secretariat to include information on its expanding body of work and progress made where relevant.

67. Secondly, "[n]oting the completion of the ECE Road Safety Action Plan in 2020, following the end of the first Decade of Action for Road Safety, [ITC] requested the secretariat to develop a revised ECE Road Safety Action Plan for the Decade of Action for

Road Safety 2021-2030, for consideration and possible adoption by the Committee at its eighty-fifth session.”

68. Thirdly, ITC requested “the Secretariat, in close cooperation with the Bureau, to prepare for the next Committee session an overview of current activities in the field of information and computerization technologies and intelligent transport systems carried out by Working Parties of ITC and link it, where appropriate, with the 70th ECE central theme in 2023 which will be on ‘Digital and green transformations for sustainable development in the UNECE region’.”

69. On the second and third items requested by ITC, the secretariat advised that work was underway to prepare the relevant documents but that they were not ready at the time of this session for SC.1’s review and input. SC.1 requested the Chair, with the support of the secretariat, to take into account SC.1’s activities and discussions to date and to reflect these as appropriate in the documents that are being prepared for ITC.

70. Finally, the secretariat provided information on ITC’s new elearning platform, LearnITC, which is freely available to all working party delegates and the interested public. Currently, it offers courses on core legal instruments administered by ITC working parties.

2. WP.1

71. The Secretary of the Global Forum on Road Traffic Safety (WP.1) provided information on WP.1 work to date. The report of WP.1 may be found at <https://unece.org/sites/default/files/2022-10/ECE-TRANS-WP1-181-e.pdf>.

3. WP.5

72. 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.

73. SC.1 appreciated the presentation and invited the Secretary of WP.5 to provide an update at its next session given the synergy with SC.1’s work.

4. Car sharing and car pooling

74. The secretariat updated SC.1 on the progress of its car-sharing and car-pooling project focussed on Central Asian countries including lessons learned/limitations and possible solutions. SC.1 invited the secretariat to provide an update at its next session which anticipates coverage of a final workshop on the project.

X. Election of officers (agenda item 9)

75. SC.1 elected its officers for the period of October 2023 to September 2025. Mr. Roman Symonenko (Ukraine) was re-elected as Chair, and Ms. Annija Novikova (Latvia) and Mr. Krzysztof Lewczak (Poland) were re-elected as Vice-Chairs.

XI. Other business (agenda item 10)

76. Task 5.1 of the implementation of the ITC Strategy until 2030 (ECE/TRANS/2022/3) refers to relevant working parties administering legal instruments under their purview, and as part of this work, assessing and/or reviewing legal instruments. SC.1 requested the secretariat to prepare a presentation on the legal instruments under SC.1’s purview for discussion at its next session.

77. SC.1 was invited to participate in a workshop on cross-border insurance of motor vehicles jointly organized by ECA, ECE, ECLAC, ESCAP and ESCWA on 19 October 2022

(timetable per Informal document No. 3). Presentations were given by the insurance card organizations responsible for administering the Green, Blue, Orange, Brown and Yellow cards. The conclusions and recommendations from the workshop are contained in Annex 3.

XII. Date of next session (agenda item 11)

78. The Working Party was informed that its next session has been scheduled for 17 to 19 October 2023. The deadline for the submission of formal documents is 31 July 2023.

XIII. Adoption of the report (agenda item 12)

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

Annex I

Statements from Belarus and the Russian Federation

1. Belarus requested the secretariat to communicate the following to the Working Party on Road Transport (SC.1) on 18 October 2022:
2. “The Joint Research Center in its role of the AETR Root Certification Center has suspended the provision of services to the Republic of Belarus. This position of the Joint Research Center is confirmed by the European Commission represented by the Directorate General for Mobility and Transport.
3. The Republic of Belarus expresses concern and alleges discriminatory practices expressed in the refusal by the Joint Research Center to fulfil its obligations, in violation of the Administrative Agreement between the United Nations Economic Commission for Europe (UNECE) and the services of the European Commission (COM).
4. The Republic of Belarus requests the Working Party on Road Transport (SC.1), within the framework of its main provisions, to promote the harmonization of fiscal and other measures in order to avoid any discriminatory practice in the field of international road transport.”
5. Similarly, the Russian Federation requested the secretariat to communicate the following to the Working Party on Road Transport (SC.1):
6. “At the (17 October 2022) session of the AETR Group of Experts, the European Commission announced the suspension of services for the Russian Federation by the Joint Research Center. The Russian Federation expresses concern and alleges discriminatory practices expressed in the refusal by the Joint Research Center to fulfil its obligations, in violation of the Administrative Agreement between the United Nations Economic Commission for Europe (UNECE) and the services of the European Commission (COM).
7. The Russian Federation requests the Working Party on Road Transport (SC.1), within the framework of its main provisions, to promote the harmonization of fiscal and other measures in order to avoid any discriminatory practice in the field of international road transport.”

Annex II

[Russian only]

Statement by Russian Federation

Уважаемые коллеги!

Итоги сегодняшнего голосования по вопросу Административного соглашения между службами Европейской комиссии и ЕЭК ООН будет иметь долгосрочные последствия для всех стран ЕСТР. Использование дискриминационных механизмов и ограничительных мер к определенному ряду государств в вопросе технического обеспечения международных автомобильных перевозок категорически неприемлемо.

Справочно: Административное соглашение между службами Европейской комиссии и ЕЭК ООН вновь признает Объединенный исследовательский центр в качестве органа, ответственного за сертификацию корневой системы и функциональной совместимости для Договаривающихся сторон ЕСТР, не входящих в ЕС.

Считаем, что ситуация, при которой сертификацию технических компонентов и выдачу разрешений на использование оборудования для реализации ЕСТР осуществляет орган, прямо подчиняющийся Европейскому союзу, который вводит санкции против других сторон ЕСТР, представляет собой пример недобросовестной конкуренции и дискриминации, что абсолютно неприемлемо для соглашения под эгидой ООН.

Более того, отказ органа, уполномоченного Меморандумом, сотрудничать и оказывать услуги российской и белорусской стороне, создает опасный прецедент для всех стран ЕСТР, подрывающий доверие к независимости и прозрачности существующих процедур сертификации в рамках ЕСТР, а также создающий ряд рисков международного масштаба.

Во-первых, введенные ограничения препятствуют выполнению международных обязательств в сфере безопасности дорожного движения, являющейся одним из приоритетов и целей устойчивого развития ООН.

Во-вторых, в условиях восстановления транспортной отрасли после пандемии коронавируса искусственно формируются новые риски, связанные с разрывом цепочек поставок.

В-третьих, сохранение текущей ситуации с невозможностью применения российскими и белорусскими перевозчиками карточек и тахографов ЕСТР в конечном счете приводит к нарушению условий труда работников, режима труда и отдыха, регулируемых соответствующими конвенциями МОТ.

Мы уже не говорим о попутных штрафах и даже аресте транспортных средств в связи с вынужденным нарушением положений ЕСТР.

В этих условиях ни одна сторона ЕСТР не будет защищена от того, что ее международные автомобильные перевозки могут быть подвергнуты угрозе остановки по причине политических разногласий с ЕС.

В текущих условиях Российская Федерация выступает категорически против подписания Административного соглашения в текущей редакции и сохранения за Объединенным исследовательским центром действующих полномочий в рамках Соглашения ЕСТР.

Оставляем за собой право поднятия данного вопроса на предстоящей сессии Комитета по внутреннему транспорту. Кроме того, доведем нашу позицию до директора отдела устойчивого транспорта ЕЭК ООН и Исполнительного секретаря ЕЭК ООН установленным порядком.

Annex III

Workshop on Cross-border Insurance of Motor Vehicles

Jointly organized by ECA, ECE, ECLAC, ESCAP and ESCWA

Geneva, 19 October 2022

I. Conclusions and recommendations

1. The facilitation of cross-border road traffic is of paramount importance for the economic development of countries and the socio-cultural exchange between people. Wherever there are borders, the economic and cultural development of people living in border areas should not be limited to exchanges with their own country but should also extend beyond the borders.

2. Cross-border insurance of motor vehicles is an effective tool to facilitate cross-border road traffic with the mutual recognition of insurance and guarantees for reimbursement of compensations paid. It needs cooperation of both governments, to provide the necessary legal and administrative framework, and the insurance business, to operate in and between countries.

3. The different existing cross-border motor vehicle insurance systems, also known as “the card systems” (brown, yellow, pink, white, orange, blue, green) have been developed in different regions of the world for facilitating cross-border movements.

4. The participants to the workshop took note of the following key challenges as well as future steps mentioned by the card systems representatives:

A. COB – (Green Card)

- **Challenges**

- Financial stability (reimbursements)
- Conflicts, wars etc
- International sanctions / payments capacities
- Complexity / different rules (green card / registration plates) EU rules and UN member States
- Some member States are obliged to participate in different systems
- Cooperation among the systems is required

B. ASEAN COB (10 Countries participate)

- **Challenges:**

- different liability and compensation frameworks and monetary levels and limits
 - compensation framework: some countries have a defined value for compensation, others use fault based liability
 - compensation amounts: very different levels of income across the 10 countries, and very different limits of compensation set out in the laws of different countries
 - legal systems: different across the countries

- different languages: the 10 countries issue and administer insurance policies and claims in at least 8 different languages
- locally licensed insurance requirement: current regulations in the countries require a policy from a locally licensed insurer and do not facilitate mutual recognition of other countries' insurance policies
- cross border claims settlement: not facilitated
- different limitation periods

C. GAIF - Orange Card

- Future steps: 2021 Trial of the E-orange card and the electronic linking of the Arab Unified Bureaux with GAIF in 2021
- **Challenges:**
 - Claims payment is complex. Sometimes bureau are involved and in some other cases companies. There are open claims that could put eventually if not handled appropriately at risk the whole system;
 - Geopolitical situation in some Arab countries: Syria, Iraq and Lybia;
 - Sanctions: which blocks all the transfers from Syria to other countries;
 - Closed borders between some countries: Algeria & Morocco, since 1994; and financial impact for the Arab Orange Card system;
 - Some countries have signed the 1975 agreement, but did not join the Orange Card (KSA, Yemen, Sudan & Mauritania)
 - Exchange rates fluctuations and impact on the claims.
 - To group the countries in a pool with a central management (Feasibility study in progress)
 - To review and refresh all the rules & procedures (in progress)
 - Full digitalization

D. COMESA / Yellow card:

- **Challenges:**
 - Despite high demand for Yellow Card by motorists from non-COMESA /SADC Countries, the scheme has not been able to expand its operations as required; due to the different third-party insurance system in the Region – namely fuel levy, vs third party insurance system
 - Delays in Yellow claims handing due to non-completion of the of full automation of the overall claim operations of the Yellow Card scheme;
 - Forgery of Yellow Cards arising from some member countries;
 - Low limits of liability in some member countries- inconveniencing of vehicles involved in accident in some Member States despite holding valid Yellow Cards;
 - Late remittance of premium returns and reimbursement of Inter-bureau claims;
 - Lack of adequate sensitization, non-liaising with the key stakeholders like Traffic Polices and Border authorities

E. ECOWAS Brown card system:**• Challenges:**

- Non settlement of the claims promptly and fairly.
- Harassment of international motorists involved in international accidents
- Arbitrary detention of the vehicles involved in accidents
- Illegal fines imposed on Drivers/Vehicle's owner.
- Non payment of budgetary contributions to council of bureaux and national bureaux
- Inadequacy and non-application of sanctions
- Lack of data, reports and statistics to enable the analysis and decision making
- Non enforcement of sanctions
- Non uniformity in the issue of Medical, Police and Survey reports
- With the establishment of the African Continental Free Trade Area (AfCFTA); which seeks to promote trade and free movement of goods and services across the continent, there is the need for the regional cards to forge and a unified front and establish a common secretariat to harmonized the operation of the various cards and protocol.

• Next Steps:

- The adoption of the Supplementary Protocol AS/01/06/20 making the Brown Card a specialized institution of ECOWAS
- The Automatic Issuance of the Brown Card to all motorists of the sub region
- The Digitalization of the Brown Card Operation
- The establishment of the ECOWAS Brown Card Day and the awareness creation in sub region
- Establishment of Arbitration Commission

5. All of the presentations may be found at <https://unece.org/transport/events/sc1-working-party-road-transport-117th-session>.

6. The participants expressed appreciation to the five United Nations regional commissions for jointly organizing this first ever workshop which allowed the representatives of the card systems from different regions to exchange information, experiences and good practices.

7. The participants appreciated the effectiveness of the implementation (for instance effective compensation, assistance etc) by the various card systems in the regions to date.

8. The participants suggested approaches to overcome and mitigate challenges posed by the implementation of the various existing card systems.

9. The participants pondered the relevance of having a harmonised unique third party of vehicles cross-border insurance system.

10. The participants strongly recommended compulsory minimum third party insurance for all motor vehicles as part of road safety programs.

11. The participants recognized that a closer cooperation between the card systems would facilitate an increased functioning of all of the card systems.

12. The participants recommended that another workshop be organized in 2023 to further exchange experience and identify common challenges and potential solutions to further enhance cooperation between the card systems.