



Economic and Social Council

Distr.: General
26 June 2023

Original: English

Economic Commission for Europe

Inland Transport Committee

Working Party on Transport Trends and Economics

Thirty-sixth session

Geneva, 4–6 September 2023

Item 9 of the provisional agenda

**Activities of United Nations Economic Commission for Europe
bodies of interest to the Working Party**

Alignment of the Working Party Terms of Reference and Rules of Procedure with those of the Inland Transport Committee

Note by the Chair

I. Background

1. At its eighty-fifth annual session (February 2023) the Inland Transport Committee (ITC) requested that considering the adoption by the Economic and Social Council (ECOSOC) of its revised Terms of Reference (E/RES/2022/2) and to ensure a successful implementation of the ITC Strategy until 2030, the work of ITC and its Working Parties needs to be fully aligned, including their Terms of Reference (ToRs) and Rules of Procedure (RoPs).

2. In response to this request, the Chair in close cooperation with the secretariat has prepared the present document for consideration, feedback, and endorsement by the Working Party on Transport Trends and Economics (WP.5) and subsequent submission to ITC for approval at its forthcoming eighty-sixth annual session in February 2024.

II. Terms of reference alignment proposals

3. The below box indicates proposed text changes to the WP.5 ToRs (ECE/TRANS/WP.5/2011/2) based on a set of recommendations for harmonized elements in the Terms of Reference of ITC Working Parties as put forward in document ECE/TRANS/2023/4 (Annex II) presented at the ITC eighty-fifth annual session this year. The proposed changes are indicated by strikethrough f or proposed deletions and bold text for new text.



Terms of reference of the Working Party on Transport Trends and Economics

The Working Party on Transport Trends and Economics (hereinafter referred to as WP.5), ~~acting will act~~ within the **framework of the** policies of the United Nations and the Economic Commission for Europe (hereinafter ECE) and ~~subject to the~~ **under the** general supervision of **its parent body** the Inland Transport Committee (**hereinafter ITC**), ~~shall, provided such actions are~~ in conformity with the Terms of Reference of ~~the~~ ECE (E/ECE/778/Rev.5) and ITC (E/RES/2022/2; ECE/TRANS/316/Add.2).

WP.5 will operate in accordance with the Guidelines for the establishment and functioning of Working Parties within ECE as approved by the ECE Executive Committee at its fourth meeting on 14 July 2006 (ECE/EX/1). These guidelines refer to its status and characteristics, including the review of its mandate and extension every five years, its membership and officers, its methods of work and its secretariat provided by the ECE Sustainable Transport Division.

On matters of substance, WP.5 will consider issues pertaining to the development of transport networks and/or links and infrastructure data; transport and climate change; sustainable mobility issues including in an urban context, and inland transport security matters. WP.5 will also continuously monitor and review emerging issues and sustainable development goals.

In doing so, it shall:

- (a) Review the general trends with regard to transport developments and transport policy and analyse specific transport economic issues including **sustainable** transport development in the ECE ~~Mediterranean~~ region **and beyond**, taking into account: **(i) The 2030 Agenda for Sustainable Development where sustainable transport is mainstreamed across several Sustainable Development Goals (SDGs) and targets and the importance of transport for climate action as recognized by the Paris Agreement and in the ITC Strategy until 2030; and** ~~(i) the integration process going on within the UNECE region, and~~ **(ii) the Development** processes under way in member **States** ~~countries~~ by monitoring current changes in **the transport sector** in order to identify, promote and spread positive examples **for enhanced sustainability of the inland transport sector development;**
- (b) Encourage exchanges of **information and data** ~~between among~~ countries on transport policy developments, particularly relating to inland transport in the ~~UNECE member countries~~ region in order to review **and monitor** ~~the~~ medium- and long-term **trends and developments** ~~evolution of transport in the sector;~~
- (c) **Strengthen ongoing efforts on the operationalization of transport corridors in the ECE region and beyond through improving** inter-modal coordination and integration thereby ~~with a view to establishing a sustainable pan-European transport system~~ taking into account the **relevance** ~~interrelationship~~ of the UNECE infrastructure agreements (AGR, AGC, AGTC and its Protocol, AGN) and **ongoing** ~~the~~ UNECE projects (TEM, TER) **with as well as relevant transport facilitation instruments in support of the** ~~pan-European transport network planning procedure;~~
- (d) Monitor **relevant transport corridor developments in the ECE region and with adjacent regions,** ~~the developments relevant for the Pan-European Transport Corridors in~~ cooperation with the European Commission **and other international governmental and non-governmental organizations as well as other United Nations regional commissions. In doing so, work on resilience of transport networks to climate change and contribute to the development of resilience parameters for United Nations infrastructure legal instruments.**
- (e) ~~Develop efficient management frameworks for transport infrastructure maintenance and operation in the ECE region including analysis of the evolution of transport developments in the Mediterranean basin and the Black Sea and Caspian Sea regions, as well as consider information on the Europe/Africa Permanent Link through the Strait of Gibraltar;~~

~~(f) — Implement the programmes of its Expert Groups as established and approved by the Working Party, and the Inland Transport Committee at any time, including that of the Expert Group on Euro-Asian Transport Links and the Expert Group on Climate Change Impacts and Adaptation for International Transport Networks.~~

~~(g) — Foster world-wide participation in its activities by encouraging cooperation and collaboration with countries, the European Commission, international governmental and non-governmental organizations, and the other United Nations regional Commissions and other organizations of the United Nations system as well as regional economic integration organizations (REIOs);~~

~~(h) — Collaborate closely with the other subsidiary bodies of the Inland Transport Committee, on issues of common interest;~~

~~(i) — Provide assistance regarding institutional adaptation of government administration and of transport enterprises to market economy. This also includes support through the UNECE Trust Fund for Assistance to Countries in Transition (TFACT);~~

~~(j) — Ensure openness and transparency during the sessions;~~

(e) Serve as a regional and inter-regional platform for the exchange of information on latest trends and developments in urban mobility, public transport and cycling infrastructure related developments through the hosting of knowledge seminars and development of resource materials as well as through elaboration of relevant cycling infrastructure parameters and their monitoring

(f) Serve as a platform for the exchange of information on threats and risk in inland transport and holds targeted meetings as necessary.

(g) Invite representatives of regional economic integration organizations, intergovernmental and non-governmental organizations to participate in its meetings, in a consultative capacity, in consideration of any matter of particular concern to them.

(h) When appropriate and upon request, organise workshops, seminars or roundtables in the areas of its expertise and in support of specific activities.

(i) Ensure openness and transparency during the sessions; [formerly (j)]

(j) Take measures to ensure that the necessary liaison is maintained with other organs of the United Nations, in particular sister Regional Commissions, and the specialized agencies. It should also closely collaborate with its sister Working Parties i.e. other ITC subsidiary bodies and other ECE bodies on matters of common interest.

~~The Working Party will be assisted in its work by the UNECE secretariat and will report to the Inland Transport Committee. [reflected in para 2 above]~~

~~These Terms of Reference and Rules of Procedure apply to WP.5. [reflected in para 1 above]~~

III. Rules of Procedure alignment proposals

4. The table below presents a comparison between RoP of the Working Party with those of the Inland Transport Committee. Column 1 lists specific ITC RoP from which the current WP.5 RoP currently divert, column 2 shows the equivalent WP.5 RoP and suggested alignment proposals. In column 2, the proposed changes are indicated by strikethrough for proposed deletions and bold text for new text.

Inland Transport Committee RoPs

WP.5, current RoPs and suggested alignments

Chapter I, "Participation", Rule 1:

Chapter I, "Participation", Rule 1:

(a) ECE member States participate at the ITC sessions as full members with voting rights.

(a) Members of the ECE which are specified in paragraph 71 of the Terms of Reference of the ECE

(b) Non-ECE Member States have the right to participate as full members to the segments of the ITC session that deal with legal instruments¹ to which they are contracting parties and remain in a consultative capacity in other parts.

(c) States that do not fall under subparagraphs (a) and (b) may participate in the ITC sessions in a consultative capacity.

(d) Specialized agencies, intergovernmental organizations and non-governmental organizations in consultative status with the Economic and Social Council, may, in accordance with paragraphs 122 and 133 of the Terms of Reference of the Economic Commission for Europe (“ECE” or “the Commission”), participate in a consultative capacity in the Committee in discussions that the Committee may hold on any matter of particular concern to those agencies or organizations.

(e) Non-governmental organizations not in consultative status with the Economic and Social Council may, subject to the approval of the Committee and respecting the principles set forth in Economic and Social Council resolution 1996/31, parts I and II, participate with consultative status in discussions that the Committee may hold on any matter of interest to these organizations.

(f) Consultations with specialized agencies and the International Atomic Energy Agency (IAEA) shall be conducted in accordance with Rule 51 of the Rules of Procedure of ECE.

(g) Consultations with non-governmental organizations shall be conducted in accordance with Rules 52 and 53 of the Rules of Procedure of ECE. Non-governmental organizations with consultative status under paragraph (g) shall be treated as nongovernmental organizations included on the list.

Chapter II, “Sessions”, Rule 4:

The secretariat shall, at least forty-two days before the commencement of a session of the Committee, distribute a notice of the opening date of the session, together with a copy of the provisional agenda. The basic documents relating to each item appearing on the provisional agenda of a session shall be transmitted not less than forty-two days before the opening of the session, provided that in exceptional cases the secretariat may, for reasons to be stated in writing, transmit such documents not less than twenty-one days before the opening of the session.

(document E/ECE/778/Rev.5), also attached in annex, shall be full participants.

(b) Other non-members of the ECE, in accordance with paragraph 112 of the Terms of Reference of the ECE may, on invitation of the secretariat or on their request, participate in the sessions held in public, in a consultative capacity in WP.5 on any matter of particular concern to those countries.

(c) Specialized agencies, intergovernmental organizations and non-governmental organizations in consultative status with the Economic and Social Council, in accordance with paragraphs 123 and 134 of the Terms of Reference of the ECE, may, after notification of the secretariat, participate in a consultative capacity in WP.5 in the consideration of any matter of particular concern to those agencies or organizations.

(d) Non-governmental organizations not in consultative status with the Economic and Social Council may, subject to the approval of WP.5 and respecting the principles set forth in Economic and Social Council resolution 1996/31, parts I and II, participate with consultative status in discussions that WP.5 may hold on any matter of interest to these organizations.

(e) Consultations with specialized agencies and the International Atomic Energy Agency (IAEA) shall be conducted in accordance with Rule 51 of the Rules of Procedure of ECE.

(f) Consultations with non-governmental organizations shall be conducted in accordance with Rules 52 and 53 of the Rules of Procedure of ECE. Non-governmental organizations with consultative status under paragraph (c) shall be treated as nongovernmental organizations included on the list.

Chapter II, “Sessions”, Rule 4(a):

The secretariat shall, at least ~~six (6) weeks~~ **forty-two (42) days** before the commencement of a session of WP.5, publish a notice of the opening date of ~~said the~~ session, together with a copy of the provisional agenda on the ~~UNECE WP.5 Internet website~~ **webpage** in all official ECE languages. ~~Before the session.~~

(b) The basic documents relating to each item appearing on the provisional agenda of a session or meeting shall be available ~~in all official languages of ECE before the session~~ on the ~~UNECE WP.5 webpage web site of the Internet~~ **not less than forty-two days before the opening of the session, provided that in exceptional cases the secretariat may, for reasons to be stated in writing, transmit such documents not less than twenty-one days before the opening of the session.** On request, hard copies may be transmitted before the opening of the session. In exceptional cases, the secretariat may distribute basic documents at the session, but in this case such

documents may only be used for preliminary consideration unless WP.5 decides otherwise.

(c) Any participant may also submit informal documents, after consultation with the secretariat, prior to or during a session. Such informal documents shall relate to items on the agenda of the respective session. To the extent possible, these documents shall be made available on the ~~UNECE WP.5 webpage internet website~~.

Chapter V, "Officers", Rule 12 (a):

Rule 12 (a) The Committee shall, every two years, elect a State from among the ECE member States, as the Chair who shall hold office for a maximum of two consecutive terms and until the term of office of its successor commences. The representative of the elected State will be the Chair. The Committee will also, at the same meeting, elect up to four ECE member States whose representatives will become Vice-Chairs for the same period. The Chair and Vice-Chairs of the Committee will also serve as the Chair and Vice-Chairs of the Bureau.

Rule 14

If the Chair, or Vice-Chairs ceases to represent his or her State, the new representative of that State will become the new Chair, or Vice-Chair for the unexpired portion of the term. If the Chair, or Vice-Chair can no longer hold office, the alternate representative will become the new Chair or Vice-Chair for the unexpired portion of the term.

Chapter X, "Voting", Rule 36:

Decisions of the Committee shall normally be taken by consensus. In the absence of consensus, decisions of the Committee shall be made by a majority of the full members present and voting.

For the purpose of these rules, the phrase "members present and voting" means members casting an affirmative or negative vote. Members which abstain from voting are considered as not voting.

Chapter VII, "Subsidiary bodies", Rules 19, 20 and 21:

Rule 19: With the approval of the Commission, the Committee may establish such bodies, such as continually acting Working Parties or other subsidiary bodies, as it deems necessary for the performance of its functions and shall define the powers and composition of each of them. Such autonomy as may be necessary for the effective discharge of the technical responsibilities laid upon them may be delegated to them.

Chapter V, "Officers", Rule 12:

Every two years, WP.5 shall, at the end of the last session of the second year, ~~elect a State~~ from among the ~~representatives of ECE members States, of the ECE as the~~ Chair who shall hold office for a maximum of two consecutive terms and until the term of office of its successor commences. **The representative of the elected State will be the Chair. WP.5 will also, at the same meeting, elect up to two States from among ECE member States whose representatives will become Vice-Chairs** for the same period. ~~two Vice-Chairs, who shall take office at the start of the first session of the year following their election for the same period.~~ If the Chair is absent from a session, or part thereof, one of the Vice-Chairs, designated by the Chair, shall preside.

If the Chair, or Vice-Chairs ceases to represent his or her State, the new representative of that State will become the new Chair, or Vice-Chair for the unexpired portion of the term. If the Chair, or Vice-Chair can no longer hold office, the alternate representative will become the new Chair or Vice-Chair for the unexpired portion of the term.

Chapter VII, "Voting", Rule 27:

~~Decisions of WP.5 shall preferably be made on the basis of consensus. In the absence of consensus, decisions shall be made by a majority of the members of ECE, present and voting. Decisions by the Working Party shall normally be taken by consensus. In the absence of consensus, decisions of the Working Party shall be made by a majority of the full members present and voting. For the purpose of these rules, the phrase "members present and voting" means members casting an affirmative or negative vote. Members which abstain from voting are considered as not voting.~~

Chapter X, "Teams of Specialists" Rule 30:

As it deems necessary for the performance of its functions, between sessions, WP.5 may be assisted in carrying out its tasks by teams of specialists (ECE/EX/2010/L.12) **for which it shall define the powers and composition. Such autonomy as may be necessary for the effective discharge of the technical responsibilities laid upon them may be delegated to them.**

*Inland Transport Committee RoPs**WP.5, current RoPs and suggested alignments*

Rule 20: The Committee shall adopt the terms of reference and rules of procedure of its subsidiary bodies. Unless the Committee decides otherwise, the present rules of procedure shall apply to the procedure of any subsidiary body until such time as the Committee adopts the relevant rules of procedure. Subsidiary bodies of the Committee may develop and recommend for adoption by the Committee their rules of procedure.

Rule 21: Subsidiary bodies should, as set out in rule 1, consult non-governmental organizations with general consultative status with the Economic and Social Council which, because of their importance as regards their activity and the number of their members, play a part on questions within the competence of the Committee and deemed of interest to such organizations. These organizations could in appropriate cases be invited to be represented at meetings of subsidiary bodies.

Chapter IX, "Conduct of business":

Rule 25 The Chair may declare a meeting open and permit the debate to proceed when at least one third of the members of the Committee are present. The presence of one third of ECE member States shall be required for any decision to be taken.

Chapter XV, "Amendments and suspensions", Rule 46:

Any of these rules of procedure may be amended or suspended by the Committee provided that the proposed amendments or suspensions do not attempt to set aside the Committee's terms of reference.

The creation and the holding of meetings of these **subsidiary bodies, including the adoption of their terms of reference and rules of procedure require prior approval-endorsement** by the Inland Transport Committee **and approval by EXCOM.**

Subsidiary bodies shall consult those entities identified in Rule 1 according to the procedures set out in that Rule.

Chapter VII, "Conduct of business":

New rule to be added upfront:

The Chair may declare a meeting open and permit the debate to proceed when at least one fifth of the members of the Committee are present. The presence of one fifth of ECE member States shall be required for any decision to be taken.

Chapter XI, "Amendments", Rule 32:

~~Any of these Rules of Procedure may be amended, in accordance with Rule 28. However, any amendment proposal affecting Rules 1 and 27 which goes beyond the provisions in the ECE mandate, in particular those in paragraph 11, shall require the prior approval of the Commission.~~

Any of these rules of procedure may be amended or suspended by the Working Party provided that the proposed amendments or suspensions do not attempt to set aside the Working Party's terms of reference.