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Economic Commission for Europe**Inland Transport Committee****Working Party on Road Transport****Group of Experts on European Agreement Concerning Work of
Crews of Vehicles Engaged in International Road Transport (AETR)****Thirty-third session**

Geneva, 16 October 2023

**Report of the Group of Experts on the European Agreement
concerning Work of Crews of Vehicles Engaged in
International Road Transport on its thirty-third session****I. Attendance**

1. The AETR Group of Experts held its thirty-third session in Geneva on 16 October 2023, chaired by Mr. R. Symonenko (Ukraine).
2. Representatives of the following ECE member States participated, Belarus, Finland, France, Kazakhstan, Kyrgyzstan, Russian Federation, Türkiye, Ukraine and the United Kingdom of Great Britain and Northern Ireland.
3. The representative of the European Union, International Road Transport Union (IRU) Euromed Transport Project, were present. Stoneridge Electronics and In Groupe were observers.

II. Adoption of the Agenda (agenda item 1)

4. The Group of Experts adopted the session's agenda (ECE/TRANS/SC.1/GE.21/71/Rev.1).

III. Adoption of the report of the thirty-first session (20 February 2023) (agenda item 2)

5. The Group of Experts revised and adopted the report of the 20 February 2023 session (ECE/TRANS/SC.1/GE.21/70/Rev.1). At the next session, the secretariat will table ECE/TRANS/SC.1/GE.21/70/Rev.2 – which will reflect the changes made – for information only.

IV. Programme of Work (agenda item 3)

A. Development of proposals for amending the AETR Agreement, including Article 22bis

6. With respect to ECE/TRANS/SC.1/GE.21/2021/2, the Russian Federation informed the Group of Experts that its position remains unchanged as per ECE/TRANS/SC.1/GE.21/2021/3. The European Union confirmed that its position is also unchanged. The Group of Experts is invited to continue discussing this topic to reach a compromise solution.

B. Appendix 1C

7. The European Union informed the Group that it is reviewing ECE/TRANS/SC.1/GE.21/2023/3 (the Russian Federation comments on Appendix 1C proposal). Belarus and the Russian Federation noted that there must be no references to EU legislation in the proposed Appendix 1C. The Group of Experts will be invited to continue discussing this topic, once the European Union develops its position with respect to ECE/TRANS/SC.1/GE.21/2023/3.

C. Amendment proposal to Article 4, paragraph 2

8. The Russian Federation introduced ECE/TRANS/SC.1/GE.21/2023/4 which proposes to amend Article 4 to facilitate the application of the AETR Agreement in the “force majeure” situations. Belarus and the Russian Federation noted its support for ECE/TRANS/SC.1/GE.21/2023/4; invited other contracting parties to propose alternative wording to be considered for “force majeure” situations; and requested the secretariat to provide advice how to address this matter; and requested the Group to discuss how to address the situations when there are (force majeure) impediments to fulfil obligations under the AETR Agreement. The European Union – while not objecting to future discussions on “force majeure” situations - did not support this amendment proposal as it would effectively allow a contracting party a unilateral (and unvalidated by any assessment) notification not to be bound by certain provisions of the AETR Agreement. According to the EU, this may have serious consequences for enforcement of driving times and rest periods in the AETR area. Ukraine supported the position of the European Union. The Group of Experts will be invited to continue discussing this issue at the next session.

D. Application of Regulation (EC) No. 561/2006 in the “AETR area”

9. The Group of Experts exchanged views and agreed to continue sharing information on this subject at the next session.

V. TACHOnet (agenda item 4)

10. The European Union did not submit a revised version of ECE/TRANS/SC.1/GE.21/2019/1/Rev.3 (a proposal to introduce a new Appendix 4 on exchange of information). The Russian Federation reiterated its unchanged position on this issue. The Group will be invited to discuss the revised document (ECE/TRANS/SC.1/GE.21/2019/1/Rev.4) if, and when, submitted.

VI. Extension of the Memorandum of Understanding between European Commission Services and United Nations Economic Commission for Europe (agenda item 5)

11. The secretariat introduced Informal Document No.1 and informed about the current legal barriers for the secretariat to sign the Administrative Arrangement (AA) for the extension of the Memorandum of Understanding (MoU). The Group of Experts took note of the explanations and information provided by the secretariat and the European Commission which are working together to find a sustainable solution. The Chair concluded by expressing his desire that the AA would be signed soon.

12. Belarus and the Russian Federation reiterated its position that the implementation of MOU should be based on a non-discriminatory basis.

13. Türkiye suggested suspension of Article 5.3.4 and 6.9.1 of the ERCA Root Policy Document until a permanent solution is found.

14. Türkiye gave presentation to introduce Informal document No. 2 on establishing multiple root and interoperability certification centres. Belarus and the Russian Federation supported the Türkiye proposal to create multiple certification centres and requested the secretariat to provide information on possibilities of creating multiple centres. Ukraine did not support the proposal explaining that consultations with the national technical experts were necessary. The Group thanked Türkiye for the presentation and document. The experts were invited to provide comments for the next session.

VII. Other Business (agenda item 6)

15. Belarus sought clarification from the secretariat regarding the rules of procedure (proceedings) of the Group of Experts and about the elections of its officers. The secretariat informed the Group that it has used “Guidelines for the establishment and functioning of teams of specialists within UNECE”. The secretariat agreed to follow up bilaterally on this matter on 17 October 2023.

16. The Group of Experts took note of Belarus request to temporarily recognize the printouts filled-in by the Belarusian drivers until the issue of chip supplies into Belarus is resolved. The Russian Federation supported the request of Belarus. The European Union referred to the European Union’s reply to the UNECE Executive Secretary on this topic.

VIII. Date and Place of Next Meeting (agenda item 7)

17. The next meeting is scheduled for 19 February 2024 at Palais des Nations in Geneva. The deadline for the submission of working documents is 11 December 2023.

IX. Adoption of the Report (agenda item 8)

18. The Group of Experts adopted the report of this session.
