



Economic and Social Council

Distr.: General
9 January 2024

Original: English

Economic Commission for Europe

Inland Transport Committee

Eighty-sixth session

Geneva, 20-23 February 2024

Item 5 of the provisional agenda

Meeting on the Implementation of the Inland Transport Committee's revised Terms of Reference and Strategy until 2030 for Government Delegates

only with the Participation of the Chairs of the Committee's Subsidiary Bodies

Promoting further harmonization of Terms of Reference and Rules of Procedure across ITC's Working Parties: Current state of alignment*

Revision

Note by the secretariat**

Summary

Pursuant to the entry into force on 16 February 2022 of the revised Inland Transport Committee (ITC) Terms of Reference (TOR) and ITC Rules of Procedure (ROP), and in order to support the harmonized alignment of ITC Working Parties in response to relevant ITC decisions, the secretariat has prepared a detailed account and analysis of the ITC's Working Parties' TOR and ROP. The following analysis presents the current state of these TOR and ROP and examines areas of divergence and potential for further harmonized alignment based on ITC's governance framework. The Committee is **invited to assess and consider** the presented analysis on the current level of alignment of ITC Working Parties' TOR and ROP during the restricted segment of its eighty-~~sixth~~^{fifth} session. The Committee **may wish to invite** its Working Parties to take into consideration the "Draft Recommendations for Harmonized Elements in the Terms of Reference of ITC Working Parties", as contained in Annex II to this document, in their continued alignment efforts, when and as appropriate.

* This document was originally issued on 23 December 2022 for the consideration of the Committee at its eighty-fifth session (21–24 February 2023). Outdated information has been updated with ~~strike~~ and **bold** characters.

** This document was submitted late due to delayed inputs from other sources.

I. Introduction and Mandate

1. On 16 February 2022, the Economic and Social Council (ECOSOC) endorsed the Inland Transport Committee (ITC) Terms of Reference (TOR) (E/RES/2022/2). Following the entry into force of the revised ITC TOR on 16 February 2022, the ITC Rules of Procedure (ROP), as contained in ECE/TRANS/294, annex III, also entered into force.

2. These landmark developments marked a new era for ITC and its Working Parties, as decided by membership at ITC, ECE and ECOSOC levels, thus making it imperative for the successful implementation of the ITC Strategy until 2030 that the work of ITC and its Working Parties is aligned, *inter alia* with regard to their governance framework, which includes their TOR and ROP. Because of this imperative, as a first step, the Committee at its eighty-second session had decided that those of its Working Parties that had adopted their own ROP, could continue to apply them and the rest were invited to align their ROP to those of the Committee or inform the Committee about the compelling reasons that might necessitate following ECE ROP or developing their own ROP (ECE/TRANS/294, para 18)¹.

3. Following the entry into force of the ITC TOR and ROP on 16 February 2022, this decision was reactivated, and several new or revised ROP and revised TOR have been or are planned to be submitted to ITC for adoption. However, no blueprint or template has been recommended, and as a result the alignment under way is not always harmonized and, in some cases, presents gaps that, occasionally, may lead to misinterpretations of the current framework, loss of efficiency and even questionable provisions.

4. It is within this broader context of ensuring a harmonized process of alignment that the secretariat has conducted a thorough review of the Working Parties' TOR and ROP with corresponding analysis to identify differences across the governance framework of the ITC's Working Parties and areas for potential harmonization. Specifically;

- Section II of this paper presents an overview of the current trends, ~~one~~two years after entry into force of the ITC TOR and ROP and outlines the steps that have already been taken by ITC Working Parties in aligning their Terms of Reference and Rules of Procedure, and related ITC decisions.
- Section III is based on a thorough review of TOR of ITC Working Parties, more fully detailed in Annex I to this document, and identifies gaps in the existing governance framework, common elements but also divergencies in the way TOR cover similar areas, as identified in the annexes of the attached document. On the basis of this comparative analysis, potential Draft Recommendations for harmonized elements in the TOR of ITC Working Parties are identified in Annex II to this document.
- Section IV provides a similar comparative analysis of Working Parties' ROP in force or with pending ITC decision, based on a more detailed analysis in Annex III to this document.
- Section V concludes.

II. Current status of alignment efforts of ITC Working Parties' Terms of Reference and Rules of Procedure

5. Table 1 lists decisions of ITC in relation to the TOR and ROP of concerned Working Parties in its sessions since 2021.

¹ From a legal perspective, according to Rule 20 of ITC's ROP, ITC shall adopt the TOR and ROP of its subsidiary bodies. Each Working Party has their own TOR and can also develop their own ROP, which must be referred to ITC for adoption. Unless ITC decides otherwise, the present ROP shall apply to the procedure of any subsidiary body until the ITC adopts the relevant ROP. Therefore, Working Parties that do not have their own ROP should apply ITC's ROP.

Table 1

ITC formal decisions on Working Parties' TOR/ROP since 2021

<i>Year</i>	<i>ITC Session</i>	<i>Action</i>	<i>WP</i>	<i>Reference from ITC Report</i>
2021	83 rd Session (23-26 February 2021)	Revised TOR adoption	SC.2	ECE/TRANS/304 para 23.
2022	84 th Session (22-25 February 2022)	Revised TOR adoption	WP.6	ECE/TRANS/316 para 25
		Revised TOR adoption	WP.24	ECE/TRANS/316, para 26
		Revised TOR adoption	SC.3	ECE/TRANS/316, para 27
2023	85 th Session (21-24 February 2023)	Adoption of ROP and revised TOR*	SC.2	ECE/TRANS/328, para 29(a) and (b) (tbc)-see Annexes I and II to ECE/TRANS/2023/9
		Adoption of ROP*	SC.3	ECE/TRANS/328, para 29(a) and (b) (tbc)-see Annexes I and II to ECE/TRANS/2023/9
		Adoption of ROP*	WP.15/ AC.2	ECE/TRANS/328, para 29(e) (tbc) [see Annex V to ECE/TRANS/2023/9]
		Adoption of ROP*	WP.24	ECE/TRANS/328, para 29(f) (tbc) [see Annex VI to ECE/TRANS/2023/9]
2024	86 th Session (20-23 February 2024)	Adoption of revised ROP and TOR*	WP.5	Annex I to ECE/TRANS/2024/10
		Adoption of new ROP and revised TOR*	WP.6	Annex II to ECE/TRANS/2024/10
		Adoption of revised TOR*	WP.15	Annex III to ECE/TRANS/2024/10
		Adoption of revised ROP and TOR*	WP.30	Annex IV to ECE/TRANS/2024/10

* Subject to the decisions of ITC at its 86th session

6. Table 2 lists Working Parties that have established or revised or are currently establishing or revising their TOR and/or ROP since the introduction of the ITC Strategy and the endorsement of the ITC TOR by ECOSOC.²

Table 2

Establishment/revision TOR/ROP broken down by Working Party

<i>Working Party</i>	<i>Revised TOR</i>	<i>(Revised) ROP</i>	<i>Year of Revision</i>	<i>Reference Document</i>
WP.5*	(+)	(+)	2023	Annex I to ECE/TRANS/2024/10
WP.6*	(+)	(+)	2022 & 2023	Annex I to ECE/TRANS/2022/6 and Annex II to ECE/TRANS/2024/10
WP.15*	(+)		2023	Annex III to ECE/TRANS/2024/10

² The analysis in the paper reflects TOR/ROP in force at the time of preparation of this report with the exception of SC.2's ROP.

<i>Working Party</i>	<i>Revised TOR</i>	<i>(Revised) ROP</i>	<i>Year of Revision</i>	<i>Reference Document</i>
WP.15/AC.2 [±]		(+)	2022	Annex V to ECE/TRANS/2023/9
WP.24 [±]	(+)	(+)	2022	Annex II to ECE/TRANS/2022/6 and Annex VI to ECE/TRANS/2023/9
WP.29	(+)	(+)	2020	ECE/TRANS/WP.29/690/Rev.2
WP.30*	(+)	(+)	2023	Annex IV to ECE/TRANS/2024/10
SC.2 [±]	(+)	(+)	2021 & 2022	Annex I to ECE/TRANS/2021/6 and Annex I and Annex II to ECE/TRANS/SC.2/2023/9
SC.3 [±]	(+)	(+)	2022	Annex III to ECE/TRANS/2022/6 and Annex IV of ECE/TRANS/2023/9

* Subject to the decisions of ITC at its 86^{5th} session

7. Table three presents an overview in the trends of Working Party alignment, between 2015, when the first study of this nature was undertaken (see ECE/TRANS/2015/2) and 2023~~2~~.

Table 3

Trends of Working Party alignment on the type of membership for non-ECE Contracting Parties – 2015 and 2023~~2~~

<i>ITC AND SUBSIDIARIES</i>	<i>Type of membership for non-ECE CP: 2015 Status*</i>	<i>Type of membership for non-ECE member States: 2023 Status, following 2022 entry into force of ITC TOR/ROP</i>
Inland Transport Committee	ECE ROP	Hybrid members
SC.1 - Road Transport	ECE ROP	ECE ROP
SC.2**– Rail Transport	ECE ROP	Hybrid members
SC.3**– Inland Water Transport	ECE ROP	Hybrid members
SC.3/WP.3 - Standardization of Technical and Safety Requirements in Inland Navigation	ECE ROP	ECE ROP
WP.1 – Road Traffic Safety	ECE ROP	ECE ROP
WP.5 – Transport trends and economics **, ***	ECE ROP	ECE ROP
WP.6 – Transport Statistics **, ***	ECE ROP	ECE ROP
WP.11 – Transport of Perishable Foodstuffs	Full members	Full members
WP.15 – Transport of Dangerous Goods	Hybrid members	Hybrid members
WP.15/AC.1 – RID/ADR/AND Joint meeting	Hybrid members	Hybrid members
WP.15/AC.2–Joint meeting of experts on ADN	ECE ROP	ECE ROP
WP.24 – Intermodal Transport & Logistics**	ECE ROP	Hybrid members
WP.29–Vehicles Regulations & subsidiary WPs	Full members (7x)	Full members
WP.30 – Border Crossing & Customs	Hybrid members	Hybrid members

<i>ITC AND SUBSIDIARIES</i>	<i>Type of membership for non-ECE CP:</i>	<i>Type of membership for non-ECE member States:</i>
	<i>2015 Status*</i>	<i>2023 Status, following 2022 entry into force of ITC TOR/ROP</i>
<u>Memo item:</u>	2015	20232
<u>ITC and WP Totals</u>		
Total with ECE ROP (incl. ITC)	10 (48%)	6 (29%)
Total with Hybrid members (incl. ITC)	3 (14%)	7 (33%)
Total with Full members	8 (38%)	8 (38%)
Grand total (incl. ITC)	21 (100%)	21 (100%)

*: Source: ECE/TRANS/2015/2, Annex I

** : ITC decision pending - without prejudice to decisions of ITC at its 86⁵th annual session

***: Working Parties without any legal instruments under their purview

III. Review of TOR of ITC Working Parties and key areas for further harmonization considerations

A. Relationship with ITC and ECE

8. All TOR of ITC Working Parties include provisions on the Working Parties' relationship with ITC and ECE. According to the TOR, the Working Parties are acting within the framework of the policies of the United Nations and the ECE, and subject to the general supervision of the ITC. However, while the current versions of TOR make standard references to the Working Parties operating in "conformity with the Terms of Reference of ECE", there are no such references vis-à-vis the Terms of Reference of ITC. This is a critical update that should be horizontally applied to all ITC Working Parties, as it leaves a major gap in the governance framework.

B. Relationship with legal instruments

9. There are some key common elements in the relationship of Working Parties with legal instruments under their responsibility. First, all TOR include clauses on the Working Parties' relationships with their legal instruments, for instance on establishing or updating legal instruments to meet the Working Parties' objectives and encouraging the accession of new countries to the conventions and agreements. A second common element in all legal instruments in the field of transport serviced by ECE ITC and its subsidiary bodies is that in all cases Contracting Parties are the decision makers because any amendment to the legal provisions is ultimately either accepted or rejected by those States that are Contracting Parties to the legal instrument in question.

10. However, only some TOR include an explicit reference to the supervising body ITC and its role in relation to the legal instruments (e.g., SC.3 and WP.11) along the lines "Develop and update (...) other relevant legal instruments on (...) that the ITC may charge it with administering". This is an important area for further harmonization consideration, given the emphasis on the development of such new legal instruments enshrined in the ITC Strategy until 2030.

C. Relationships and collaboration with other bodies and partners and ensuring openness and transparency

11. Some TOR further include clauses on the relationship and collaboration with other subsidiary bodies of ITC and ECE. Most TOR further include a clause on the relationship with other partners outside of ECE, such as countries, other ECE Divisions, the European Commission, other United Nations regional Commissions, and international governmental organizations. The goal is to foster participation in activities of the Working Party and encourage cooperation and collaboration with other partners.

12. Furthermore, some TOR include clauses that ensure openness and transparency of the Working Parties' work, either generally or during the sessions.

D. In conclusion: Possible consideration of Draft Recommendations for Harmonized Elements in TOR of ITC Working Parties

13. In light of the above analysis and considering the key role of a clear, harmonized framework for the smooth operation of the ITC subsidiary structure and its advantages for the uninhibited implementation of the ITC strategy, Annex II to this document identifies possible "Draft Recommendations for Harmonized Elements in the Terms of Reference of ITC Working Parties".

IV. Review of ROP of ITC Working Parties and key areas for further harmonization considerations

14. The mandate for aligning Working Parties' ROP originates from a decision taken by ITC at its eighty-second session,³ according to which those Working Parties that had adopted their own ROP could continue to apply them, even if the ROP had not been officially adopted by ITC. However, if the ROP of any Working Parties are not in line with ITC's current ROP, they shall be amended accordingly. Additionally, any change to the Working Parties' ROP is invalid until ITC adopts the amended ROP. This cannot be overruled by any ROP of the ITC subsidiary bodies.

15. The secretariat compared the ROP of ~~twelve (12)~~ **thirteen (13)** subsidiary bodies of ITC. The following sections identify differences in the existing ROP⁴ and examine whether and how the ROP should be amended to align with ITC's ROP. The detailed analysis of the individual ROP can be found in Annex III to this document.

A. Rights of non-ECE Member States: Current State and Need for Alignment

16. The ROP differ regarding the rights non-ECE member States currently have within ECE, the ITC and its subsidiary bodies. ECE's TOR⁵ and ROP⁶ only allow for *consultative status* of non-ECE members. Paragraph (b) of ITC's revised TOR⁷ as well as Rule 1(b) of ITC's ROP⁸, on the other hand, give non-member States the right to participate as full

³ See ECE/TRANS/294 para. 18 for reference.

⁴ The review includes the proposed new ROP of SC.2 (Annex II to ECE/TRANS/2023/9), the proposed new ROP of SC.3 (Annex III to ECE/TRANS/2023/9) and the proposed new ROP of WP.24 (Annex VI to ECE/TRANS/2023/9).

⁵ E/ECE/778/Rev.5, Paragraph 11: "The Commission shall invite any Member of the United Nations not a member of the Commission to participate in a consultative capacity in its consideration of any matter of particular concern to that non-member."

⁶ E/ECE/778/Rev.5, Rule 4: "The Commission shall invite any Member of the United Nations not a member of the Commission to participate in a consultative capacity in its consideration of any matter of particular concern to that Member."

⁷ E/RES/2022/2.

⁸ ECE/TRANS/294, annex III.

members in the segments of the Committee session that deal with legal instruments to which they are Contracting Parties, while they remain in a consultative capacity in other parts. ITC is hence taking a *hybrid approach*. Table 3 above provides a summary of the current status of ITC and its Working Parties.

17. Decisions made about a legal instrument administered by a Working Party, including for example those establishing or extending Groups of Experts in support of concerned legal instruments – affect not only ECE members but also non-ECE member States that are Contracting Parties to these legal instruments. Granting, therefore, membership rights to non-ECE Contracting Parties renders ITC and its subsidiary structure more inclusive, thus increasing their appeal and impact. This could further serve as motivation for other non-members to accede to legal instruments under the purview of ITC and participate in its Working Parties. Furthermore, harmonizing participation rights would further lead to greater equity and enhanced transparency across all Working Parties. Ultimately, higher levels of harmonization would enable the Committee to better deliver its mandates 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.

B. Quorum: Current Practice and Recommendations

18. Reaching quorum is a prerequisite for making decisions in a session. For ECE, a majority of the members shall constitute a quorum (Rule 27 of ECE’s ROP). ITC’s revised ROP require the presence of one third of ECE member states for any decision to be taken. While some Working Parties’ ROP include a rule on quorum, these rules only relate to decisions on legal instruments in force, not on decision-making in general. Consequently, any Working Party that does not have a rule on quorum shall apply ITC’s revised ROP, requiring the presence of one third of ECE member States for any decision-making. Those Working Parties that have a rule on quorum which is limited to decisions on legal instruments in force shall follow the ITC approach for all other decision-making processes.⁹ All ROP should explicitly include a rule on quorum to ensure unambiguous and smooth decision-making processes.

C. Voting Procedure: Current State and Recommendations

19. The analysis has shown that the applicable voting procedure differs across the Working Parties. While some Working Parties only grant voting rights to ECE member States, others take a hybrid approach and grant voting rights to non-ECE members who are Contracting Parties to the Working Party’s legal instruments.¹⁰ ECE ROP¹¹ grants each member of the Commission the right to vote, while ITC ROP¹² grants each full member of the Committee the right to vote. This includes ECE member States, but also non-ECE member States in segments of the ITC session that deal with legal instruments to which these non-members are Contracting Parties. ITC welcomes ongoing alignment activities and has invited its subsidiary bodies to take follow-up actions to align their work with the ITC strategy. Working Parties should adopt ITC’s hybrid approach and amend their ROP accordingly to ensure a transparent, fair voting process and further promote global participation in ITC and its subsidiary bodies.

20. The WP.29 ROP includes an exception for the European Union as recognized Regional Economic Integration Organization (REIO): Rule 24 allows the European Union to vote in lieu of its member States and with the number of votes of its member States that are participants in WP.29. Depending on the needs and structure of the different WP, including this exception in other Working Parties’ ROP should also be considered.

⁹ See table III.2 in Annex III for further details on the individual ROP.

¹⁰ See table III.3 in Annex III for further details on the individual ROP.

¹¹ Rule 38.

¹² Rule 35.

21. In terms of the decision-making process, most ROP stipulate a preference for consensus but allow majority votes in its absence.¹³ According to Rule 39 of ECE's ROP, decisions of the Commission shall be made by a majority of ECE's members who are present and voting. Rule 36 of ITC's ROP, on the other hand, stipulates that 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. Harmonization of the decision-making process would avoid ambiguity and enable a unified approach across ITC's subsidiary bodies. However, the Working Parties might have to keep or add further rules on decision-making as it pertains to their individual legal instruments. For instance, WP.1 has full members that are non-ECE members. The WP.1 rule shall therefore be amended accordingly to reflect the changed membership and extend voting rights to its other full members.

D. Election of Officers: Procedure, Participation and Election Cycles

22. The analysis found that all but one of the Working Parties' ROP governing the election of officers stipulate that elections will be undertaken by secret ballot, in the absence of consensus on a candidate or slate.¹⁴ Furthermore, ROPs currently differ on the length of the election cycle and the number of elected officials. Rule 12¹⁵ of ECE's ROP sets the election cycle for officers of the Commission to two years. The Commission will elect two Vice-Chairs. Rule 12(a)¹⁶ of ITC's ROP also stipulates an election cycle of two years but allows for the election of up to four Vice-Chairs. The Working Parties take different approaches towards the election of officers and use different terminology. Some have an election cycle of two years and elect two Vice-Chair(person)s, while others hold elections every year and only elect one Vice-Chair(person) or even have a varying number of Vice-Chair(person)s, as in the case of WP.29 and its subsidiary Working Parties. While most ROP stipulate that the officers shall be eligible for re-election, they do not explicitly state how many (consecutive) terms they may serve.¹⁷ Rule 12(a) of ITC's ROP specifies that the Chair shall only hold office for a maximum of two consecutive terms, which in turn is in line with Decision A (65) "Outcome of the review of the 2005 reform of ECE" and in particular the "Guidelines on procedures and practices for ECE bodies", as contained in E/ECE/1464, Appendix III, para 8.

23. The ROP further differ regarding the circumstances in which a Vice-Chair(person) should preside over a session. Some Working Parties permit the Chair(person) to request the Vice-Chair(person) to preside over a session, whereas in others, including the ITC,¹⁸ the Vice-Chair(person) only presides if the Chair(person) is absent from a session or part thereof. WP.29 and its subsidiary Working Parties do not include a rule about absence of the Chair(person) at all.¹⁹ Harmonizing the rules about the Vice-Chair(person) presiding over a session would further promote procedural unity and avoid ambiguity about the role of the Vice-Chair(person)s.

¹³ See table III.4 in Annex III to this document for more details on the individual ROP.

¹⁴ See table III.5 in Annex III to this document for more details on the individual ROP.

¹⁵ Rule 12: "The Commission shall, at each **biennial session**, elect a country from among its members to hold the chair for the period of the biennium. The representative of the elected country will be the Chairperson. The Commission will also, at the same meeting, **elect two** countries whose representatives will become the Vice-Chairpersons for the period of the biennium. The Chairperson and Vice-Chairpersons of the Commission will also serve as the Chairperson and Vice-Chairpersons of the Executive Committee for the period of the biennium."

¹⁶ 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."

¹⁷ See table III.6 in Annex III to this document for further detail on the individual ROP.

¹⁸ Rule 13 of ITC's ROP.

¹⁹ See table III.7 in Annex III to this document for further details.

24. Neither ECE's²⁰ nor ITC's²¹ ROP allow the Chair(person) or the Vice-Chair(person) when acting as Chair(person) to participate in the respective meetings as such while also acting as representative of their State. Rather, the State must be represented by an alternate representative who will exercise the State's right to vote. While most Working Parties have a similar rule, WP.15 and WP.15/AC.1 allow exceptions: When there is no alternate representative or if the alternate representative is absent, the Chairperson may exercise his/her right to vote as the representative of his/her country.²² The secretariat recommends including a distinct separation of officers and members in all ROP to ensure clear processes and avoid ambiguity.

E. Groups of Experts: Establishment and Terminology

25. While all Working Parties allow the establishment of groups of experts, Working Parties' ROP use different terminology for such groups, for example referring to them as "ad hoc groups". ECE uses the term "team of specialists"²³ for groups of experts serviced by the secretariat. Some Working Parties require prior approval by ITC for the establishment of groups of experts, while others require these groups, in informal configurations, to be hosted and invited by a participant in the respective WP.²⁴ To align with the existing governance framework of ECE and to enable efficient delivery of the ITC mandates and programme of work, harmonizing the terminology across all ROP of the ITC subsidiary bodies would be helpful. For reasons of consistency and to avoid ambiguity and delays, the Committee, in exercising its right under the current "Guidelines for the establishment and functioning of teams of specialists within ECE" (ECE/EX/2/Rev.1, paragraph 1), re-confirmed the procedure in ECE/TRANS/304, paragraph 24, reminding that establishing formal groups of experts requires decisions first at ITC and then at EXCOM level. EXCOM's Guidelines for the establishment and functioning of teams of specialists within ECE should be consulted for the alignment.

F. Amending ROP: Background and Procedure

26. Paragraph (n) of ITC's TOR establishes that ITC shall adopt the TOR and ROP of its subsidiary bodies. Rule 20 of ITC's revised ROP includes the same clause. Therefore, all amendments to the Working Parties' ROP must be adopted by ITC. The Working Parties' ROP that currently do not require adoption (or "approval" as it is currently framed by many) by ITC shall be amended accordingly. In addition, the terminology shall be aligned: While ITC "adopts" the TOR and ROP of WP, EXCOM "approves" the TOR of WP. Individual structures and specific needs of the individual Working Parties should naturally be considered (e.g., WP.15/AC.1 requires the additional endorsement of OTIF).

27. All ROP include rules about amendments. Rule 55 of ECE's ROP allows for the amendment or suspension of the ROP by the Commission provided that ECOSOC's TOR are not set aside. ITC's ROP 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

²⁰ E/ECE/778/Rev.5, Rule 16: The Chairperson or the Vice-Chairperson acting as Chairperson shall participate in the meetings of the Commission as such and not as the representative of the member by whom he/she was accredited. The Commission shall admit an alternate representative to represent that member in the meetings of the Commission and to exercise its right to vote.

²¹ ECE/TRANS/294, annex III, Rule 16: The Chair or the Vice-Chair acting as Chair shall participate in the meetings of the Committee in this capacity and not as the representative of their State. The Committee shall admit an alternate representative to represent that member in the meetings of the Committee and to exercise its right to vote.

²² See table III.8 in Annex III to this document for further details.

²³ A team of specialists is an expert body which is established through a procedure set by a UNECE Sectoral Committee and supervised either directly by the Sectoral Committee or by one of its Working Parties (Guidelines for the establishment and functioning of teams of specialists within UNECE (ECE/EX/2/Rev.1)).

²⁴ See table III.12 in Annex III to this document for more details on the individual ROP.

reference.²⁵ The Working Parties take slightly different approaches to amending their ROP. For instance, WP.29 and its subsidiary Working Parties do not require approval of the amendments at all, while some Working Parties require prior approval by ECE. Others even require both the approval of ITC and the endorsement of EXCOM.²⁶

G. Differences in Terminology used in ROP

28. The analysis further assessed the terminology used in the Working Parties' ROP in comparison with ITC terminology. The terminology differs among the Working Parties, which can lead to ambiguities and limited scope of application. Examples²⁷ include:

(a) In Rule 1(a) and (b), WP.15/AC.1 uses the terminology "full participants" (for member countries of ECE and member States of OTIF) and the terminology "full members" for non-member countries of ECE and OTIF for parts of sessions devoted to matters relating to a legal instrument to which they are Contracting Parties. The right to vote is granted to "full participants". The same applies to the ROP of WP.15. This makes a difference when it comes to the election of officers – according to Rule 12, only "full participants" can be elected as Chairperson and Vice-Chairperson.

(i) For comparison, the ITC's ROP use the term "full members" for both ECE member States as well as non-ECE member states that participate in sessions that deal with legal instruments to which they are Contracting Parties.²⁸ When it comes to the election of officers, Rule 12(a) does not refer to "full members" but refers to the election of officers "from among the ECE member States".

(ii) The Working Parties' ROP should be aligned with the terminology used by ITC. Thus, the rules should speak of "full members" rather than "full participants".

(b) The rules about amending the ROP use different terminology. Some Working Parties' ROP explicitly require "approval" from the ECE, while others ask for "endorsement" from the ECE. These rules should be aligned with the terminology used by ITC.

(c) Some ROP ask for the representative of participants to be "accredited" (e.g., WP.11 in Rule 9) and classify when a representative can be considered to be accredited (see Rule 11(b) of WP.11' ROP). Other ROP simply use the term "representative" without adding an accreditation requirement. The ITC ROP, which shall serve as a blueprint for the ROP of the ITC Working Parties, also requires representatives to be accredited (see Rule 9 of ITC's ROP for reference).

29. If using different terminology does not result in rules stipulating different guidelines, for instance excluding non-members, harmonizing the terminology across the ROP is not necessary. However, harmonized terminology can avoid ambiguity, ensure the orderly and consistent application of standing procedural guidance and governance framework and thus better enable the entire Sustainable Transport Division to support the implementation of the ITC Strategy. The secretariat therefore recommends that Working Parties align the terminology used in their ROP based on the terminology used by ITC.

V. Main Conclusions and Considerations for ITC

30. The secretariat's analysis has shown that there has been considerable progress in the alignment of Working Parties' TOR and ROP with the ITC governance framework, yet there

²⁵ ECE/TRANS/294, annex III, Rule 46

²⁶ See table III.13 in Annex III to this document for more details on the individual ROP.

²⁷ For further details and examples see Annex II, Para. VIII. to this document.

²⁸ Rule 1(a): "ECE member States participate at the ITC sessions as full members with voting rights." Rule 1(b): "Non-ECE Member States have the right to participate as full members to the segments of the ITC session that deal with legal instruments to which they are contracting parties and remain in a consultative capacity in other parts."

is considerable room for further harmonization. This is particularly important to reflect the endorsement of the ITC TOR by ECOSOC in February 2022 and the growing participation of non-ECE member States in Working Parties and their accession of legal instruments under the purview of ITC. In this regard, it would be helpful to give the opportunity to Working Parties to assess their TOR and ROP *on the basis of the review contained in this document* and consider making amendments accordingly and as appropriate vis-à-vis their TOR and ROP, which shall then be considered by ITC for adoption, in line with the existing framework.

31. The Committee is **invited to assess and consider** the presented analysis on the current level of alignment of ITC Working Parties' TOR and ROP during the restricted segment of its eighty-fifth session. The Committee **may wish to invite** its Working Parties to take into consideration the "Draft Recommendations for Harmonized Elements in the Terms of Reference of ITC Working Parties", as contained in Annex II to this document, in their continued alignment efforts, when and as appropriate.

Annex I

Review of Terms of Reference (TOR) of Inland Transport Committee (ITC) Working Parties

I. Relationship with ITC and ECE

1. The TOR of ITC's Working Parties all include provisions on the Working Parties' relationship with ITC and ECE. According to the TOR, the Working Parties are

- (a) Acting within the framework of the policies of the United Nations and the ECE;
- (b) Subject to the general supervision of the ITC.

<i>WP</i>	<i>Para.</i>	<i>Text</i>
SC.1	1.	The Working Party on Road Transport (hereinafter referred to as SC.1), acting within the framework of the policies of the United Nations and the Economic Commission for Europe (hereinafter ECE) and subject to the general supervision of the Inland Transport Committee shall, provided such actions are in conformity with the Terms of Reference of the ECE (document E/ECE/778/Rev.3) and consistent with the legal instruments listed in the annex:
SC.2	1.	The Working Party on Rail Transport will act within the framework of the policies of the United Nations and the Economic Commission for Europe (hereafter UNECE) and under the general supervision of the Inland Transport Committee (hereafter ITC) and in conformity with the Terms of Reference of UNECE (E/ECE/778/Rev.5).
SC.3	1.	The Working Party on Inland Water Transport (SC.3) and its subsidiary body, i.e. the Working Party on the Standardization of Technical and Safety Requirements in Inland Navigation (SC.3/WP.3), act within the framework of the policies of the United Nations and the Economic Commission for Europe (hereafter ECE), under the general supervision of the Inland Transport Committee (ITC) and in conformity with the Terms of Reference (TOR) of ECE (E/ECE/778/Rev.5).
	7.(g)	Support ITC in addressing cross-sectorial issues, such as inland transport and security, and environment, automation and digitalization etc.
WP.1	1.	The Working Party on Road Traffic Safety (hereinafter referred to as WP.1), acting within the framework of the policies of the United Nations and the Economic Commission for Europe (hereinafter ECE) and subject to the general supervision of the Inland Transport Committee shall, provided such actions are in conformity with the Terms of Reference of the ECE (document E/ECE/778/Rev.3) and consistent with the legal instruments listed in the annex:
WP.5	1.	The Working Party on Transport Trends and Economics (hereinafter referred to as WP.5), will act acting 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.6	2.	WP.6 will act within the framework of the policies of the United Nations and the Economic Commission for Europe (hereafter UNECE) and under the general supervision of the Inland Transport Committee (hereafter ITC) and in conformity with the Terms of Reference of UNECE (E/ECE/778/Rev.5). WP.6 will operate in accordance with its own Rules of Procedure, as set out in

<i>WP</i>	<i>Para.</i>	<i>Text</i>
		ECE/TRANS/WP.6/2023/6 Annex I, which are based on those of the ITC (ECE/TRANS/294, annex III).
WP.11	1.	The Working Party on the Transport of Perishable Foodstuffs (hereinafter referred to as WP.11), acting within the framework of the policies of the United Nations and the Economic Commission for Europe (hereinafter ECE) and under the general supervision of the Inland Transport Committee (hereinafter ITC) shall, provided such actions are in conformity with the Terms of Reference of ECE (document E/ECE/778/Rev.4):
WP.15	1.	The Working Party on the Transport of Dangerous Goods (hereinafter referred to as WP.15) will act within the framework of the policies of the United Nations and the Economic Commission for Europe (hereafter ECE) and under the general supervision of its parent body, the Inland Transport Committee (hereafter ITC) and in conformity with the Terms of Reference of ECE (E/ECE/778/Rev.5) and ITC (E/RES/2022/2 and ECE/TRANS/316/Add.2). The Working Party on the Transport of Dangerous Goods (hereinafter referred to as WP.15), acting within the framework of the policies of the United Nations and the Economic Commission for Europe (hereinafter ECE) and under the general supervision of the Inland Transport Committee (hereinafter ITC) shall, provided such actions are in conformity with the Terms of Reference of ECE (document E/ECE/778/Rev.4):
WP.24	1.	The Working Party on Intermodal Transport and Logistics (WP.24) acts within the framework of the policies of the United Nations and the Economic Commission for Europe (hereafter ECE) and under the general supervision of the Inland Transport Committee (hereafter ITC) and in conformity with the Terms of Reference of ECE (E/ECE/778/Rev.5).
WP.29	1.	The World Forum for Harmonization of Vehicle Regulations (WP.29) (hereinafter referred to as WP.29), acting within the framework of the policies of the United Nations and the Economic Commission for Europe (hereinafter ECE) and subject to the general supervision of the Inland Transport Committee (ITC) shall, provided such actions are in conformity with the Terms of Reference of the ECE (document E/ECE/778/Rev.5) and consistent with the Agreements listed in Annex 1:
WP.30	1.	The Global Forum on Customs questions affecting transport including border crossings facilitation (hereinafter referred to as WP.30), will act within the framework of the policies of the United Nations and the Economic Commission for Europe (hereinafter ECE) and subject to the general supervision of the Inland Transport Committee (hereinafter ITC) and in conformity with the new Terms of Reference of ITC (E/RES/2022/2 and ECE/TRANS/316/Add.2) and consistent with the legal instruments listed in Appendix: The Working Party on Customs Questions affecting Transport (hereinafter referred to as WP.30), acting within the framework of the policies of the United Nations and the Economic Commission for Europe (hereinafter ECE) and subject to the general supervision of the Inland Transport Committee (hereinafter ITC) shall, provided such actions are in conformity with the Terms of Reference of ECE (document E/ECE/778/Rev.5) and consistent with the legal instruments listed in Appendix:
	2.	Furthermore, some ROP include a reference to the ECE Guidelines for the establishment and functioning of Working Parties within ECE.

<i>WP</i>	<i>Para.</i>	<i>Text</i>
SC.1	-	-
SC.2	2.	SC.2 will operate in accordance with the Guidelines for the establishment and functioning of Working Parties within ECE as approved by the ECE Executive

<i>WP</i>	<i>Para.</i>	<i>Text</i>
		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.
SC.3	2.	SC.3 will operate in accordance with the ECE 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.
WP.1	-	-
WP.5	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.
WP.6	1.	The Working Party on Transport Statistics (hereafter referred to as WP.6) will operate in accordance with the Economic Commission for Europe (hereafter UNECE) Guidelines for the establishment and functioning of Working Parties within UNECE as approved by the UNECE 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 UNECE Sustainable Transport Division.
WP.11	-	-
WP.15	2.	WP.15 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.
WP.24	2.	WP.24 operates 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 5 years, its membership and officers, its methods of work and its secretariat provided by the ECE Sustainable Transport Division.
WP.29	-	-
WP.30	-	-

II. Relationship with legal instruments

3. All TOR include clauses on the Working Parties' relationships with their legal instruments, for instance on establishing or updating legal instruments in order to meet the Working Parties' objectives and encouraging the accession of new countries to the conventions and agreements.

4. In addition, some TOR include an explicit reference to the supervising body ITC and its role in relation to the legal instruments (e.g., SC.3 and WP.11).

<i>WP</i>	<i>Para.</i>	<i>Text</i>
SC.1	1(c)	Draw up, apply and update appropriate legal instruments in order to meet the above objectives, also taking road safety and the environment into account;
	1(d)	Encourage the accession of new countries to the Conventions and Agreements listed in the annex;
	1(e)	Develop, circulate and update the Consolidated Resolution on the Facilitation of International Road Transport (R.E.4), making it a reference document for disseminating best practices in road transport, and also prepare recommendations on specific subjects. In this context, promote the international motor insurance card system (Green Card);
	1(j)	Develop a coordinated and logical programme of work relating to the legal instruments listed in the annex and the Consolidated Resolution;
	1(k)	Create a working environment that facilitates the fulfilment by Contracting Parties of their obligations set forth in the respective legal instruments
SC.2	4(a)	update and extend the geographical scope of the European Agreement on Main International Railway Lines (AGC) network, increase the number of contracting parties to the AGC agreement, consider the AGC Agreement with a view to possibly implementing and, whenever feasible, improving existing standards and operational parameters; upgrading review the coherence between the AGC parameters and infrastructure standards established within the European Union, the Eurasian Economic Union and other countries within the ECE region with a view to harmonizing them as appropriate. (Pillar A);
	4(b)	identify the need for new legal instruments in the rail sector for passenger and freight aimed at encouraging the further shift to rail as the most sustainable mode of transport and meeting the needs of the region's economies following the paradigm shift set in motion in the transport sector as a result of the COVID-19 epidemic. (Pillar A);
	4(c)	develop, improve and maintain constantly updated online tools, such as the web tool developed to monitor the AGC and the European Agreement on Important International Combined Transport Lines and Related Installations (AGTC) network and its infrastructure standards and the Rail Security Observatory (Pillar B);
SC.3	3.	(...) SC.3, assisted where appropriate by SC.3/WP.3, will carry out activities aimed at making inland water transport more sustainable, green and resilient to climate change. These activities also aim to support the implementation of the ITC Strategy until 2030, in particular, related to tasks such as (a) servicing and administering legal instruments related to inland water transport, (b) fostering and supporting the introduction of new technologies and innovations in inland water transport, (c) promoting sustainable regional and interregional inland transport connectivity and mobility and (d) supporting capacity building activities on legal instruments under the ITC purview and resolutions relevant to Inland Water Transport (IWT).
WP.1	1(a)	Develop and keep up to date the Conventions on Road Traffic and on Road Signs and Signals, done at Vienna in 1968, and the European Agreements which supplement them of 1971, as well as other relevant legal instruments.
	1(b)	Encourage the accession of new countries to the Conventions and Agreements mentioned above.

<i>WP</i>	<i>Para.</i>	<i>Text</i>
	1(c)	Develop, update and circulate the Consolidated Resolutions on Road Traffic (R.E.1) and on Road Signs and Signals (R.E.2), and make them documents for recommending best road safety practices; also draft recommendations on specific subjects.
	1(h)	Define and implement a work programme relating to the legal instruments and the Consolidated Resolutions in a coordinated and logical manner.
WP.5	4 (c)	Strengthen ongoing efforts of the operationalization of transport corridors in the ECE region and beyond through improving Improve inter-modal coordination and integration thereby with a view to establishing a sustainable 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 the Pan-European transport network planning. procedure ;
WP.6	-	-
WP.11	1(c)	Develop and update the Agreement concerning the International Carriage of Perishable Foodstuffs and on the Special Equipment to be Used for such Carriage (ATP), concluded in Geneva in 1970, and other relevant legal instruments on the transport of perishable foodstuffs that the ITC may charge it with administering;
	1(d)	Encourage the accession of new countries to the Agreements mentioned above
	1(e)	Ensure harmonization of the ATP with other relevant legal instruments on the transport of perishable foodstuffs developed in other fora;
	1(i)	Create a working environment that facilitates fulfilment by the Contracting Parties of the obligations set forth in the legal instrument concerned by the activities of the Working Party, and an exchange of views on the interpretation of this instrument or the resolution of problems connected with their enforcement;
WP.15	4 (e) 3(a)	Develop and update the European Agreement concerning the International Carriage of Dangerous Goods by Road (ADR), concluded in Geneva in 1957, the European Agreement concerning the International Carriage of Dangerous Goods by Inland Waterways (ADN), concluded in Geneva in 2000, and other relevant legal instruments on the transport of dangerous goods that ITC may charge it with administering;
	4 3(d)	Encourage the accession of new countries to the Agreements mentioned above;
	4 3(e)	Ensure harmonization of ADR and ADN with other relevant legal instruments on the transport of dangerous goods by other modes of transport on the basis of the recommendations of the Committee of Experts on the Transport of Dangerous Goods and the Globally Harmonized System of Classification and Labelling of Chemicals of the United Nations Economic and Social Council;
WP.24	4(a)	[Given this general context, more specifically WP.24:] Monitors, reviews and updates the European Agreement on Important International Combined Transport Lines and Related Installations (AGTC) and the Protocol on Combined Transport on Inland Waterways to the AGTC Agreement, promotes accession to both instruments and monitors their implementation.
	4(j)	Reviews and updates the IMO/ILO/UNECE Guidelines for Packing of Cargo in Intermodal Transport Units.
WP.29	1(a)	Initiate and pursue actions aiming at the harmonization or development of technical regulations or amendments to such regulations, adapted to the technical

<i>WP</i>	<i>Para.</i>	<i>Text</i>
		progress, which may be accepted world-wide, and which are directed at improving vehicle safety, protecting the environment, promoting energy efficiency and anti-theft performance, providing uniform conditions for periodical technical inspections and strengthening economic relations world-wide, according to the objectives laid down in the respective Agreements;
	1(b)	Develop and realize measures on adaptation of legal instruments to the technical progress, achieve coordination between legal tools, develop the guideline principles for establishment of technical requirements and uniform procedures for compliance assessment;
	1(d)	Serve as the specialised technical body for the relevant Agreements established under the auspices of the United Nations Economic Commission for Europe, Inland Transport Committee. Its function is to develop recommendations regarding the establishment or amendment of technical regulations which may be accepted world-wide and regarding uniform conditions for periodical technical inspections, consistent with the provisions of those Agreements;
WP.30	1(a)	Initiate and pursue actions aimed at promoting the harmonization, improvement and simplification of technical and operational regulations, standards , rules and documentation for customs and border crossing procedures for the various modes of inland transport and multimodal connections , with particular focus, where possible, on contributing to the advancement of the United Nations 2030 Sustainable Development Agenda (General Assembly Resolution A/RES/70/1.) and related Sustainable Development Goals;
	1(c)	Administer and monitor the implementation of the conventions, and agreements and other international legally binding instruments on customs and border crossing facilitation under the auspices of WP.30 the Working Party (Appendix);
	1(d)	Review the above legal instruments to ensure their relevance as well as their coherence with other international or subregional treaties concerned with € customs and border crossing facilitation issues and to keep them in line with modern transport and border control requirements and, where appropriate, elaborate new international legally binding instruments in the field of border crossing facilitation taking also account of the need to combat customs fraud effectively ;
	1(e)	Consider and adopt endorse amendment proposals to the legal instruments listed in Appendix and, where appropriate, submit them to the relevant Administrative Committees (see point (n) below) for consideration and formal adoption;
	1(f)	Consider and adopt recommendations, resolutions, comments and examples of best practices with regard to the implementation of these legal instruments and, where appropriate, submit them to the relevant Administrative Committees (see point (n) below) for consideration and formal approval or ITC for endorsement consideration and formal approval ;
	1(i)	Promote the possible extension of the agreements and conventions from Appendix to other regions and encourages the accession of new countries to these them by organizing seminars and workshops as well as advocacy campaigns ;
	1(k)	Create a working environment that facilitates fulfilment by the contracting parties of the obligations set forth in the legal instruments listed in Appendix, and an exchange of views on the interpretation of these instruments or the resolution of problems connected with their enforcement;
	1(n)	Ensure close cooperation with and support for the activities of the Administrative Committees for the TIR Convention (AC.2), for the Harmonization Convention

<i>WP</i>	<i>Para.</i>	<i>Text</i>
		(AC.3), for the Convention on Customs Treatment of Pool Containers Used in International Transport (AC.4) and for the TIR Executive Board (TIRExB);

5. Some Working Parties have included a list of the relevant legal instruments in the Annex or Appendix of either their TOR or their ROP:

- (a) SC.1 (+) listed in Annex
- (b) SC.2 (-)
- (c) SC.3 (-)
- (d) WP.1 (+) listed in Annex
- (e) WP.5 (-) (lists ECE member countries instead)
- (f) WP.6 (-)
- (g) WP.11 (-)
- (h) WP.15 (-)
- (i) WP.24 (-)
- (j) WP.30 (+) listed in Appendix

6. To ensure consistency and enable quick reference checks, the Working Parties should add a list of legal instruments to the TOR (or, alternatively, their ROP). Such a clause could be added, e.g., at the end of paragraph 1: “(...) and consistent with the legal instruments listed in Annex” (see the draft recommendations above for reference).

III. Relationships and collaboration with other bodies and partners

7. The TOR further include clauses on the relationship and collaboration with other subsidiary bodies of ITC and ECE bodies.

<i>WP</i>	<i>Para.</i>	<i>Text</i>
SC.1	1.(h)	Collaborate closely with the other subsidiary bodies of the Inland Transport Committee on issues of common interest concerning road transport, particularly the Working Party on Customs Questions Affecting Transport (WP.30), the Working Party on Intermodal Transport and Logistics (WP.24), the Working Party on Transport Trends and Economics (WP.5), the Working Party on the Transport of Perishable Foodstuffs (WP.11) and the Working Party on Transport Statistics (WP.6);
SC.2	4.(d)	improve intermodal coordination and integration of railway with other transport modes with a view to contributing to the development of pan-European sustainable transport systems taking into account the interrelationship of the UNECE E-Networks and in close cooperation with the Working Party on Intermodal Transport and Logistics (WP.24). (Pillar D);
	4.(i)	evaluate, study and review Euro-Asian rail traffic trends, developments and opportunities and explore possibilities for further contribution to and interaction with the Euro-Asian Transport linkages (EATL) project and the preparation of relevant conclusions and recommendations in collaboration with the Working Party on Trends and Economics; (Pillar C);
	4.(k)	support the implementation of expert group programmes and task forces as established by the Working Party and the Inland Transport Committee on technical and legal rail matters and review rail market trends, needs and

<i>WP</i>	<i>Para.</i>	<i>Text</i>
		challenges through the establishment of ad hoc expert groups and the elaboration of studies, as appropriate; (Pillar A);
	4.(m)	review general trends in rail transport developments and rail transport policy, analyze specific rail transport economic issues, assist in the collection, compilation and dissemination of rail transport statistics, in cooperation with the Working Party on Transport Statistics (WP.6), other governmental and non-governmental organizations, expert groups and task forces and prepare reports, reviews and publications concerning rail transport development and best practices; (Pillar C).
	7.	SC.2 will collaborate closely with other subsidiary bodies of ITC and other UNECE body on matters of common interest.
SC.3	7.	Undertake other activities related to regional and international cooperation or requested by the ECE Inland Transport Committee
	7.(e)	Collaborate closely with other subsidiary bodies of ITC and other ECE bodies on matters of common interest;
WP.1	1.(g)	Collaborate closely with the other subsidiary bodies of the Inland Transport Committee, particularly the World Forum for Harmonization of Vehicle Regulations (WP.29), the Working Party on Road Transport (SC.1), the Working Party on the Transport of Dangerous Goods (WP.15) and the Working Party on Transport Statistics (WP.6), on issues of common interest involving road safety.
WP.5	1(h)	Collaborate closely with the other subsidiary bodies of the Inland Transport Committee, on issues of common interest;
	4(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.
WP.6	4.(j)	Collaborate closely with other subsidiary bodies of ITC and other UNECE body on matters of common interest (Pillars A and B).
WP.11	1.(g)	Collaborate closely with the other subsidiary bodies of ITC, particularly the World Forum for Harmonization of Vehicle Regulations (WP.29), the Working Party on Road Transport (SC.1), the Working Party on Rail Transport (SC.2) and any other relevant ECE body on matters of common interest relating to the transport of perishable foodstuffs such as the Working Party on Agricultural Quality Standards (WP.7);
WP.15	13 (g)	Collaborate closely with the other subsidiary bodies of ITC, particularly the World Forum for Harmonization of Vehicle Regulations (WP.29), the Working Party on Road Transport (SC.1), the Working Party on Road Traffic Safety (WP.1), the Working Party on Inland Water Transport (SC.3), the Working Party on Transport Statistics (WP.6), Working Party on Intermodal Transport and Logistics (WP.24) and any other relevant ECE body on matters of common interest relating to the transport of dangerous goods;
WP.24	7.	(...) 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.
WP.29	-	-
WP.30	1(n)	Ensure close cooperation with and support for the activities of the Administrative Committees for the TIR Convention (AC.2), for the Harmonization Convention

<i>WP</i>	<i>Para.</i>	<i>Text</i>
		(AC.3), for the Convention on Customs Treatment of Pool Containers Used in International Transport (AC.4) and for the TIR Executive Board (TIRExB);
	1(o)	Collaborate closely with other subsidiary bodies of ITC to address horizontal issues relevant to the facilitation of customs issues and other border crossing matters of international transport , particularly the Working Party on Road Transport (SC.1), the Working Party on Rail Transport (SC.2) and any with other relevant ECE working parties and other inter-governmental and non-governmental organizations in particular with the World Customs Organization (WCO) body on matters of common interest relating to Customs questions affecting transport;

8. Most TOR further include a clause on the relationship with other partners outside of ECE, such as countries, other ECE Divisions, the European Commission, other United Nations regional Commissions, and international governmental organizations. The goal is to foster participation in activities of the Working Party and encourage cooperation and collaboration with other partners.

<i>WP</i>	<i>Para.</i>	<i>Text</i>
SC.1	1.(i)	Foster participation in the activities of SC.1 and encourage cooperation and collaboration with the countries, the other ECE Divisions, particularly Trade, the European Commission, the international governmental organizations, particularly the European Conference of Ministers of Transport (ECMT), the international non-governmental road transport organizations and the other United Nations regional commissions on issues of common interest. Organize seminars on appropriate topics as need arises;
	1.(g)	Encourage exchanges of data between countries and the circulation of information, particularly on the facilitation of border-crossing and the legal provisions that countries have adopted as regards road transport or that have an impact on road transport;
SC.2	4.(l)	monitor developments on the pan-European Rail Transport Corridors in cooperation with the European Commission; (Pillar C);
	6.	SC.2 will encourage participation in its activities by fostering cooperation and collaboration with the European Commission, intergovernmental and non-governmental organizations and other United Nations regional commissions and organizations or bodies of the United Nations system.
SC.3	7.	Undertake other activities related to regional and international cooperation or requested by the ECE Inland Transport Committee
WP.1	1.(e)	Encourage participation in its activities by fostering cooperation and collaboration with the countries, the European Commission, international governmental and non-governmental organizations concerned with road safety and the other United Nations regional commissions and other organizations of the United Nations' system, particularly the World Health Organization (WHO); in this context, organize seminars on appropriate issues as need arises.
	1.(f)	Encourage exchanges of data between countries by compiling and circulating information on road accidents and their causes and on the legal provisions in force in the countries and best national and international road safety practices.
WP.5	4 4(b)	Encourage exchanges of information and data between among member countries on transport policy developments, particularly relating to inland transport in the UNECE member countries region in order to review and

<i>WP</i>	<i>Para.</i>	<i>Text</i>
		monitor the medium- and long-term trends and developments evolution of transport in the sector;
	± 4(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;
	± 4(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); 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.
WP.6	4.(h) (i)	Become a central hub for transport statistics by fostering cooperation and collaboration with the European Commission, intergovernmental and nongovernmental organizations and other United Nations regional commissions and organizations or bodies of the United Nations system (Pillar C);
WP.11	1.(f)	Encourage participation in its activities by fostering cooperation and collaboration with countries, the European Commission, international governmental and non-governmental organizations concerned with the transport of perishable foodstuffs and the other United Nations regional commissions and other organizations or bodies of the United Nations system
WP.15	± 3(f)	Encourage participation in its activities by fostering cooperation and collaboration with countries, the European Commission, international governmental and non-governmental organizations concerned with the transport of dangerous goods and the other United Nations regional commissions and other organizations or bodies of the United Nations system with a view, among other things, to discussing and resolving problems relating to the interpretation or enforcement of the provisions of ADR, ADN or other relevant legal instruments;
WP.24	5.	In undertaking its activities, WP.24 invites representatives of regional economic integration organizations, intergovernmental and non-governmental organizations to participate in its meetings in consultative capacity in consideration of any matter of particular concern to them.
	7.	Finally, WP.24 shall 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.
WP.29	1.(e)	Foster world-wide participation in its activities by encouraging cooperation and collaboration with countries and Regional Economic Integration Organizations (REIOs) not yet participating in WP.29 activities, with regard to technical matters that come before WP.29;
WP.30	1(j)	Encourage wider public and private participation in its activities by fostering cooperation and collaboration with countries, the European Commission, World Customs Organization, other international governmental and non-governmental organizations concerned with transport and border crossing facilitation and the other United Nations regional commissions and other organizations or bodies of the United Nations system with a view, among other things, to discussing and

<i>WP</i>	<i>Para.</i>	<i>Text</i>
		resolving problems relating to the interpretation or enforcement of the provisions of the relevant legal instruments;

IV. Ensuring openness and transparency of the work

9. Some TOR include clauses that ensure openness and transparency of the Working Parties' work, either generally or during the sessions.

<i>WP</i>	<i>Para.</i>	<i>Text</i>
SC.1	1(l)	Ensure openness and transparency of the work of SC.1.
SC.2	-	-
SC.3	-	-
WP.1	1(i)	Ensure openness and transparency during the sessions.
WP.5	4(i) 1(j)	Ensure openness and transparency during the sessions.
WP.6	-	-
WP.11	1(j)	Ensure openness and transparency during its meetings.
WP.15	14(j)	Ensure openness and transparency during its meetings.
WP.24	-	-
WP.29	1(i)	Ensure openness and transparency during the sessions.
WP.30	1(l)	Ensure openness and transparency during its meetings.

Annex II

Draft Recommendations for Harmonized Elements in the Terms of Reference of ITC Working Parties

1. The TOR of ITC Working Parties include clauses on the Working Parties' purpose and its relationship with ITC, ECE, other partners and with relevant legal instruments. The following clauses are recommended for harmonized coverage in the TOR of ITC Working Parties, based on the analysis in Annex I to this document.

1. The Working Party [insert name/topic] (hereinafter referred to as xx.x) [and its subsidiary body] will act within the framework of the policies of the United Nations and the Economic Commission for Europe (hereafter ECE) and under the general supervision of its parent body, the Inland Transport Committee (hereafter ITC) and in conformity with the Terms of Reference of ECE (E/ECE/778/Rev.5) and ITC (E/RES/2022/2 and ECE/TRANS/316/Add.2) and consistent with the legal instruments in the annex.

2. [WP] 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.

3. Individual clauses:

(a) Clauses on legal instruments

- Develop and keep up to date [legal instruments / Conventions on WPs topic] as well as other relevant legal instruments on [insert relevant topic] that the ITC may charge it/[WP] with administering.
- Encourage the accession of new countries to the Conventions and Agreements mentioned above.
- Create a working environment that facilitates the fulfilment by Contracting Parties of their obligations set forth in the respective legal instruments.

(b) Collaborate closely with the other subsidiary bodies of the ITC, particularly the Working Party [insert relevant WPs with related work] and any other relevant ECE bodies on matters of common interest concerning [insert topic].

(c) Encourage participation in the activities of [insert WP] by fostering cooperation and collaboration with [list of relevant stakeholders, e.g., the countries, other ECE Divisions], particularly [xxx], the European Commission, the international governmental organizations, particularly [xxx], the international non-governmental [insert relevant topic] organizations and the other United Nations regional commissions on issues of common interest.

(d) Ensure openness and transparency of the work of [WP].

(e) These Terms of Reference and the Rules of Procedure apply to [WP] and do not modify the provisions of the relevant legal instruments.

Annex III

Review of Rules of Procedure (ROP) of ITC Working Parties

1. The analysis carried out by the secretariat compared the ROP of the ITC subsidiary bodies based on topic. The following tables include the individual wording of the ROP and identifies differences and areas for harmonization.

I. Participation of non-ECE Member States

Table III.1

<i>WP / SC</i>	<i>Rule of Procedure</i>	<i>Result</i>
WP.1 ²⁹	<p>Rule 1(b): Non-members of the ECE which are Contracting Parties to the Convention on Road Traffic, done at Vienna in 1968, and/or the Convention on Road Signs and Signals, done at Vienna in 1968 (hereinafter, the 1968 Vienna Conventions), shall be participants in a consultative capacity.</p> <p>Rule 1(c): Other non-members of the ECE, in accordance with paragraph 11 of the Terms of Reference of the ECE may, on invitation of the secretariat or on their request, participate in a consultative capacity in WP.1 on any matter of particular concern to those countries.</p>	Consultative Status only for Contracting Parties to the 1968 Vienna Conventions, or based on request or invitation
WP.5 ³⁰	Rule 1(b): Other non-members of the ECE, in accordance with paragraph 11 ³¹ 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.	Consultative Status only (on request or invitation)
WP.6³²	Rule 1(b): Non-ECE member States participate in a consultative capacity.	Consultative Status only
WP.11 ³³	Rule 1(b): Non-member countries of ECE as defined in paragraph 11 of the Terms of Reference of ECE may participate in a consultative capacity in WP.11 on any matter of particular concern to them. These countries may however participate as full members at sessions of WP.11 if they are ATP Contracting Parties.	Full member for Contracting Parties
WP.15 ³⁴	Rule 1(a): Non-member countries of ECE as defined in paragraph 11 of the Terms of Reference of ECE may participate in a consultative capacity in WP.15 on any matter of particular concern to them. These countries may however participate as full members at sessions of WP.15 devoted to matters relating to a legal instrument to which they are Contracting Parties.	Hybrid Approach
WP.15/ AC.1 ³⁵	Rule 1(b): Non-member countries of ECE and OTIF as defined in paragraph 11 of the Terms of Reference of ECE may participate in a consultative capacity in the Joint Meeting on any matter of	Hybrid Approach

²⁹ ECE/TRANS/WP.1/100/Add.1.

³⁰ ECE/TRANS/WP.5/2011/2 and ECE/TRANS/WP.5/74.

³¹ Paragraph 11: "The Commission shall invite any Member of the United Nations not a member of the Commission to participate in a consultative capacity in its consideration of any matter of particular concern to that non-member."

³² **Annex I to ECE/TRANS/WP.6/2023/6.**

³³ ECE/TRANS/WP.11/229.

³⁴ ECE/TRANS/WP.15/190/Add.1.

³⁵ ECE/TRANS/WP.15/AC.1/112/Add.2.

<i>WP / SC</i>	<i>Rule of Procedure</i>	<i>Result</i>
	particular concern to them. These countries may, however, participate as full members at sessions of the Joint Meeting devoted to matters relating to a legal instrument to which they are Contracting Parties.	
WP.15/ AC.2 ³⁶	Rule 1(b): Non-member states of ECE as defined in paragraph 11 of the Terms of Reference of ECE may participate in a consultative capacity in the ADN Safety Committee on any matter of particular concern to them. ³⁷	Consultative Status only
WP.24 ³⁸	Rule 1(b): Non-ECE Member States have the right to participate as full members to the segments of the WP.24 session that deal with the legal instruments to which they are contracting parties and remain in a consultative capacity in other parts.	Hybrid Approach
WP.29 ³⁹ / GRE / GRVA GRBP/ GRPE GRSG /GRSP	Rule 1(a): Countries which are covered by paragraph 11. of the Terms of Reference of the ECE and are Contracting Parties to any of the Agreements listed in Annex 1 shall be participants.	Full member status for Contracting Parties f
WP.30 ⁴⁰	Rule 1(b): Non-member countries of ECE as defined in paragraph 11⁴⁴ of the Terms of Reference of ECE may participate as full participants at sessions of WP.30 or parts thereof devoted to matters relating to legal instruments, listed in Appendix, to which they are Contracting Parties. They may also participate in WP.30 on any other matter of particular concern to them in a consultative capacity.	Hybrid Approach
SC.1 ⁴²	Rule 1 para. 2.(b): Non-members of the ECE which are Contracting Parties to the Convention on the Contract for the International Carriage of Goods by Road (CMR), done at Geneva on 17 May 1956, shall be participants in a consultative capacity. Rule 1 para. 3(c): Other non-members of the ECE, in accordance with paragraph 11 of the Terms of Reference of the ECE may, on invitation of the secretariat or at their request, participate in a consultative capacity in SC.1 on any matter of particular concern to those non members.	Consultative Status only for Contracting Parties, or based on request or invitation
SC.2 ⁴³	Rule 1(b): Non-ECE Member States participate as full members to the segments of the sessions of the Working Party that deal with legal instruments or binding rules and standards, administered by the Working Party, to which they are contracting parties or to which they have declared to the Executive Secretary of ECE an interest in; and remain in a consultative capacity in other parts.	Hybrid Approach

³⁶ ECE/TRANS/WP.15/AC.2/80/Add.1/Rev.1.

³⁷ The proposed new ROP, pending the adoption by ITC and subject to the decisions of ITC at its 85th session (see Annex V to ECE/TRANS/2023/9 for reference), include the same rule. All ADN Contracting States are ECE member States.

³⁸ Pending the adoption by ITC and subject to the decisions of ITC at its 85th session (see Annex VI to ECE/TRANS/2023/9).

³⁹ ECE/TRANS/WP.29/690/Rev.2.

⁴⁰ ECE/TRANS/WP.30/~~2023~~2015/7/Rev.2.

⁴⁴ ~~Paragraph 11: "The Commission shall invite any Member of the United Nations not a member of the Commission to participate in a consultative capacity in its consideration of any matter of particular concern to that non member."~~

⁴² ECE/TRANS/SC.1/396/Add.1.

⁴³ Pending the adoption by ITC and subject to the decisions of ITC at its 85th session (see Annex II to ECE/TRANS/2023/9).

<i>WP / SC</i>	<i>Rule of Procedure</i>	<i>Result</i>
SC.3 ⁴⁴	Non-ECE Member States participate as full members to the segments of the sessions of the Working Party that deal with legal instruments to which they are contracting parties or binding rules, standards or resolutions for which they have declared to the ECE Executive Secretary the acceptance or interest in, under the purview of the Working Party, and remain in a consultative capacity in other segments.	Hybrid Approach

II. Quorum

Table III.2

<i>WP</i>	<i>Rule of Procedure</i>	<i>Result</i>
WP.1	No rule on quorum	Shall follow ITC
WP.5	No rule on quorum	Shall follow ITC
WP.6	Rule 23: Eight full members shall constitute a quorum for any decision to be taken.	Eight ECE member States. Shall follow ITC until official adoption of draft ROP by ITC
WP.11	No rule on quorum	Shall follow ITC
WP.15	Rule 35: (...) Decisions regarding a legal instrument in force shall be taken only in the presence of at least one third of the Contracting Parties, and on condition that the number of affirmative votes is equal to at least one third of the full participants represented during the vote.	One third of Contracting Parties for decisions on legal instruments in force on condition that the number of affirmative votes is equal to at least one third of the full participants represented during the vote.; must follow ITC otherwise
WP.15/ AC.1	Rule 35: (...) Decisions regarding a legal instrument in force shall be taken only in the presence of at least one quarter of the total number of Contracting Parties to ADR and ADN and RID Contracting States, with each country being counted once, and on condition that the number of affirmative votes is equal to at least one third of the full participants represented during the vote.	One quarter of Contracting Parties to ADR and ADN and RID Contracting States for decisions on legal instruments in force on condition that the number of affirmative votes is equal to at least one third of the full participants represented during the vote; must follow ITC otherwise
WP.15/ AC.2 ⁴⁵	No rule on quorum	Shall follow ITC
WP.24	Rule 23: (...) The presence of one fifth of ECE member States shall be required for any decision to be taken.	One fifth of ECE member States. Shall follow ITC until official adoption of draft ROP by ITC
WP.29 / GRE / GRVA	Rule 21: The conduct of business shall be in accordance with Rules 27 to 37 of the Rules of	Refers to ECE's rule on quorum (one third of ECE member States)

⁴⁴ Pending the adoption by ITC and subject to the decisions of ITC at its 85th session (see Annex IV to ECE/TRANS/2023/9).

⁴⁵ WP.15/AC.2's new ROP that have been submitted for consideration and adoption by ITC (see Annex V to ECE/TRANS/2023/9) do not include a rule on quorum, either.

<i>WP</i>	<i>Rule of Procedure</i>	<i>Result</i>
GRBP/ GRPE / GRSG / GRSP	Procedure of the ECE, unless otherwise provided herein.	
WP.30	Rule 35: (...) Decisions regarding a legal instrument in force shall be taken only in the presence of at least one-third of the Contracting Parties.	One-third of Contracting Parties for decisions on legal instruments in force; must follow ITC otherwise
SC.1	No rule on quorum ⁴⁶	Shall follow ITC
SC.2	Rule 23: One fifth of full members shall constitute a quorum. ⁴⁷ [Note: ECE member States and non-ECE member States in segments of the session that deal with legal instruments or binding rules and standards administered by the Working Party, to which they are contracting parties or to which they have declared to the Executive Secretary of ECE an interest in]	One fifth of full members. Shall follow ITC until official adoption of draft ROP by ITC
SC.3	Rule 23: At least 7 full members shall constitute a quorum. [Note: Full members include ECE Member States and non-ECE Member States in segments of the session that deal with legal instruments to which they are contracting parties or binding rules, standards or resolutions for which they have declared to the ECE Executive Secretary the acceptance or interest in, under the purview of the Working Party]	At least 7 full members. Shall follow ITC until official adoption of draft ROP by ITC.

III. Voting

2. Voting Rights

Table III.3

<i>WP / SC</i>	<i>Rule of Procedure</i>	<i>Result</i>
WP.1	Rule 27: Each member of ECE shall have one vote.	Only ECE Members
WP.5	Rule 27 6 : Each member of ECE shall have one vote.	Only ECE Members
WP.6	Rule 33: Each full member of the Working Party shall have one vote.	Only ECE Members
WP.11	Rule 34: Full participants shall have one vote in WP.11 but only ATP Contracting Parties may vote on amendments to the ATP or the ATP Handbook. [Note: Full participants include ECE members and non-member countries that are ATP Contracting Parties.]	Full participants (ECE Members + Contracting Parties); Exceptions for amendments of legal instruments

⁴⁶ Rule 25 para. 30 of SC.1's ROP refers to Rules 25 to 28 and 30 to 33 of ECE's ROP, which shall apply mutatis mutandis. This reference needs to be updated; Rules 25 to 28 are now Rules 29 to 31, and Rules 30 to 33 are now Rules 34 to 37 of ECE's ROP. Nevertheless, SC.1's ROP do not refer to ECE's clause on quorum (Rule 27 of ECE's ROP).

⁴⁷ Pending the adoption by ITC and subject to the decisions of ITC at its 85th session (see Annex II to ECE/TRANS/2023/9).

<i>WP / SC</i>	<i>Rule of Procedure</i>	<i>Result</i>
WP.15	Rule 34: Full participants shall have one vote in WP.15. <i>[Note: Full participants include ECE members and non-member countries that are Contracting Parties to legal instruments of WP.15 at sessions of WP.15 devoted to matters relating to a legal instrument to which they are Contracting Parties.]</i>	Full participants (ECE members and Contracting Parties)
WP.15/ AC.1	Rule 34: Full participants shall have one vote in the Joint Meeting. <i>[Note: Full participants include ECE and OTIF members and non-member countries that are Contracting Parties to legal instruments of WP.15/AC.1 at sessions devoted to matters relating to a legal instrument to which they are Contracting Parties.]</i>	Full participants (ECE and OTIF members and Contracting Parties)
WP.15/ AC.2	Rule 34: All ECE member states have one vote in the ADN Safety Committee.	Only ECE Members
WP.24	Rule 33: Each full member of WP.24 shall have one vote. <i>[Note: Full members include ECE member States and Contracting Parties in session segments relating to the respective legal instrument]</i>	Full members (ECE members and Contracting Parties)
WP.29 / GRE / GRVA GRBP/ GRPE GRSG / GRSP	Rule 24: Each participant, as defined in Rule 1(a), other than REIOs, shall have one vote. REIOs, as defined in Rule 1(a), may only vote in lieu of their Member States and with the number of votes of their Member States that are participants in WP.29. <i>[Note: Participants as defined by Rule 1(a) include ECE members as well as Contracting Parties to any of the agreements listed in Annex I of WP.29's ROP.]</i>	Participants (ECE members and Contracting Parties); Exception: European Union can vote on behalf of its member States
WP.30	Rule 34: Full participants shall have one vote in WP.30. <i>[Note: Full participants are member countries of ECE and non-member countries of ECE which are Contracting Parties (in sessions relating to the legal instruments)].</i>	Full participants (ECE members and Contracting Parties)
SC.1	Rule 32: Each member of the ECE shall have one vote.	Only ECE members
SC.2	Rule 33: Each full member of the Working Party shall have one vote. <i>[Note: Full members include ECE member States and non-ECE member states that are Contracting Parties to legal instruments the WP deals with at segments of the sessions that deal with legal instruments or binding rules and standards, administered by the WP, to which they are Contracting Parties or to which they have declared an interest in to the Executive Secretary of ECE.]</i>	Full members (ECE members and Contracting Parties)
SC.3	Rule 33: Each full member of the Working Party shall have one vote. <i>[Note: Full members include ECE Member States and non-ECE Member States in segments of the session that deal with legal instruments to which they are Contracting Parties or binding rules, standards or resolutions for which they have declared to the ECE Executive Secretary the acceptance or interest in, under the purview of the Working Party]</i>	Full members (ECE members and Contracting Parties)

3. For the decision-making process, most ROP stipulate consensus as the preferred method.

Table III.4

<i>WP / SC</i>	<i>Rule of Procedure</i>	<i>Result</i>
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<i>WP / SC</i>	<i>Rule of Procedure</i>	<i>Result</i>
WP.1	Rule 28: Decisions of WP.1 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.	Consensus preferred, or majority of ECE members
WP.5	Rule 287: 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.	Consensus preferred, or majority of ECE members
WP.6	Rule 34: Decisions of 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.	Consensus preferred, or majority of ECE members
WP.11	Rule 35: Decisions regarding the ATP shall be carried by a unanimous vote in favour. Decisions regarding the ATP Handbook shall be carried by a majority vote in favour provided that there are no more than three votes against the proposal. All other decisions shall chiefly be taken by consensus but in the absence of consensus, decisions shall be taken by a majority of the full participants present and voting. <i>[Note: Full participants include ECE members and non-member countries that are ATP Contracting Parties.]</i>	Consensus, or majority of full participants; Specification for legal instruments
WP.15	Rule 35: Decisions of WP.15 shall chiefly be taken by consensus. In the absence of consensus, decision shall be taken by a majority of the full participants present and voting. Decisions regarding a legal instrument in force shall be taken only in the presence of at least one third of the Contracting Parties, and on condition that the number of affirmative votes is equal to at least one third of the full participants represented during the vote.	Consensus, or majority; Specification for legal instruments
WP.15/ AC.1	Rule 35: Decisions of the Joint Meeting shall chiefly be taken by consensus. In the absence of consensus, decisions shall be taken by a majority of the full participants present and voting. Decisions regarding a legal instrument in force shall be taken only in the presence of at least one quarter of the total number of Contracting Parties to ADR and ADN and RID Contracting States ⁴⁸ , with each country being counted once, and on condition that the number of affirmative votes is equal to at least one third of the full participants represented during the vote.	Consensus, or majority; Specification for legal instruments
WP.15/ AC.2	Rule 35: Decisions of the ADN Safety Committee shall chiefly be taken by consensus. In the absence of consensus, decisions shall be taken by a majority of the full participants present and voting.	Consensus or majority

⁴⁸ Wording amended; see ECE/TRANS/WP.15/AC.1/122, annex IV for reference.

<i>WP / SC</i>	<i>Rule of Procedure</i>	<i>Result</i>
WP.24	Rule 34: Decisions by WP.24 shall normally be taken by consensus. In the absence of consensus, decisions of WP.24 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.	Consensus preferred, or majority
WP.29 / GRE / GRVA GRBP/ GRPE GRSG / GRSP	Rule 25: Decisions of WP.29 shall be made by a majority of the participants as defined in Rule 1(a), present and voting, and in accordance with Rule 24 above.	Majority vote
WP.30	Rule 35: Decisions of WP.30 shall normally be taken by consensus. In the absence of consensus, decisions shall be taken by a majority of the full participants present and voting. Decisions regarding a legal instrument in force shall be taken only in the presence of at least one-third of the Contracting Parties.	Consensus preferred, or majority; Specification for legal instruments
SC.1	Rule 28, para. 33: Decisions made by SC.1 shall as a priority be based on consensus. In the absence of consensus, decisions shall be made by a majority of the members of the ECE, present and voting.	Consensus preferred, or majority
SC.2	Rule 34: Decisions of 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.	Consensus preferred, or majority
SC.3	Rule 34: Decisions of 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.	Consensus preferred, or majority

4. According to Rule 41 of ECE’s ROP, the Commission shall normally vote by show of hands. If any representative requests a roll call, a roll call shall be taken in the English alphabetical order of the names of the members. All elections shall be decided by secret ballot (ECE ROP Rule 41), unless, in the absence of any objection, the Commission decides to proceed without taking a ballot on an agreed candidate or slate. The ITC ROP also stipulates a vote by show of hands,⁴⁹ while all elections shall be decided by secret ballot, unless, in the absence of any objection, the Committee decides to proceed without taking a ballot on an agreed candidate or slate (Rule 39). WP.11 makes an exception from this rule, which has generally been adopted by the other WPs:

Table III.5

<i>WP</i>	<i>Rule of Procedure</i>	<i>Procedure</i>
WP.1	Rule 29: Voting and elections of officers shall be held in accordance with Rules 37 to 39 of the Rules of Procedure of ECE.	Vote by show of hands; election by secret ballot

⁴⁹ Rule 38: (a) The Committee may vote by show of hands. If any representative requests a roll call, a roll call shall be taken in the English alphabetical order of the names of the full members. (b) When the Committee votes by mechanical means, a non-recorded vote shall replace a vote by show of hands and a recorded vote shall replace a roll-call. A representative may request a recorded vote. In the case of a recorded vote, the Committee shall, unless a representative requests otherwise, dispense with the procedure of calling out the names of the full members. (c) The vote of each full member in a roll-call or a recorded vote shall be inserted in the record.

<i>WP</i>	<i>Rule of Procedure</i>	<i>Procedure</i>
	<i>[Note: WP.1's ROP still refer to the old version of ECE's ROP; Rules 37 to 39 are now Rules 41 to 43 of ECE's ROP.]</i>	unless no objections
WP.5	Rule 298: Voting and elections of officers shall be held in accordance with Rules 41 to 43 ⁵⁰ of the Rules of Procedure of ECE.	Vote by show of hands; election by secret ballot unless no objections
WP.6	Rule 36: The Working Party may vote by show of hands. If any representative requests a roll call, a roll call shall be taken in the English alphabetical order of the names of the full members. Rule 37: All elections shall be decided by secret ballot, unless, in the absence of any objection, the Working Party decides to proceed without taking a ballot on an agreed candidate or slate.	Vote by show of hands; elections by secret ballot unless no objections
WP.11	Rule 36: The WP.11 shall normally vote by a show of hands. If any representative requests a roll call, a roll call shall be taken in the English alphabetical order of the names of the members. Rule 37: All elections shall be decided by a show of hands.	Vote and elections by show of hands
WP.15	Rule 36: WP.15 shall normally vote by show of hands. If any representative requests a roll call, a roll call shall be taken in the English alphabetical order of the names of the members. Rule 37: All elections shall be decided by secret ballot, unless, in the absence of any objection, WP.15 decides to proceed without taking a ballot on an agreed candidate or slate.	Vote by show of hands; elections by secret ballot unless no objections
WP.15/ AC.1	Rule 36: The Joint Meeting shall normally vote by show of hands. If any representative requests a roll call, a roll call shall be taken in the English alphabetical order of the names of the members. Rule 37: All elections shall be decided by secret ballot unless, in the absence of any objection, the Joint Meeting decides to proceed without taking a ballot on an agreed candidate or slate.	Vote by show of hands; elections by secret ballot unless no objections
WP.15/ AC.2	Rule 36: The ADN Safety Committee shall normally vote by show of hands. If any representative requests a roll call, a roll call shall be taken in the English alphabetical order of the names of the members. Rule 37: All elections shall be decided by secret ballot, unless, in the absence of any objection, the ADN Safety Committee decides to proceed without taking a ballot on an agreed candidate or slate.	Vote by show of hands; elections by secret ballot unless no objections
WP.24	Rule 36: WP.24 may vote by show of hands. If any representative requests a roll call, a roll call shall be taken in the English alphabetical order of the names of the full members. Rule 37: All elections shall be decided by secret ballot, unless, in the absence of any objection, WP.24 decides to proceed without taking a ballot on an agreed candidate or slate.	Vote by show of hands; elections by secret ballots unless no objections

⁵⁰ Rule 41: The Commission shall normally vote by show of hands. If any representative requests a roll call, a roll call shall be taken in the English alphabetical order of the names of the members.
Rule 42: All elections shall be decided by secret ballot, unless, in the absence of any objection, the Commission decides to proceed without taking a ballot on an agreed candidate or slate.
Rule 43: If a vote is equally divided upon matters other than elections, a second vote shall be taken. If this vote also results in equality, the proposal shall be regarded as rejected.

<i>WP</i>	<i>Rule of Procedure</i>	<i>Procedure</i>
WP.29 / GRE / GRVA GRBP/ GRPE GRSG / GRSP	Rule 26: The voting shall be in accordance with Rules 38 to 43 of the Rules of Procedure of the ECE, unless otherwise provided herein. Rule 27: Voting under the Agreements listed in Annex 1 shall be in accordance with the voting rules specified in the respective Agreement.	Vote by show of hands; elections by secret ballot unless no objections
WP.30	Rule 36: WP.30 shall normally vote by show of hands. If any representative requests a roll call, a roll call shall be taken in the English alphabetical order of the names of the participants that are eligible to vote in accordance with the present Rules of Procedure. Rule 37: All elections shall be decided by secret ballot, unless, in the absence of any objection, WP.30 decides to proceed without taking a ballot on an agreed candidate or slate.	Vote by show of hands; elections by secret ballot unless no objections
SC.1	Rule 29, para. 34: Voting and elections of officers shall be held in accordance with Rules 37 to 39**of the Rules of Procedure of the ECE. [Note: SC.1's ROP still refer to the old version of ECE's ROP; Rules 37 to 39 are now Rules 41 to 43.]	Vote by show of hands; elections by secret ballot unless no objections
SC.2	Rule 36: The Working Party may vote by show of hands. If any representative requests a roll call, a roll call shall be taken in the English alphabetical order of the names of the full members. Rule 37: All elections shall be decided by secret ballot, unless, in the absence of any objection, the Working Party decides to proceed without taking a ballot on an agreed candidate or slate.	Vote by show of hands; elections by secret ballot unless no objections
SC.3	Rule 36: The Working Party may vote by show of hands. If any representative requests a roll call, a roll call shall be taken in the English alphabetical order of the names of the full members. Rule 37: All elections shall be decided by secret ballot, unless, in the absence of any objection, the Working Party decides to proceed without taking a ballot on an agreed candidate or slate.	Vote by show of hands; elections by secret ballot unless no objections

5. Most ROP do not include a rule on voting on behalf of others. WP.29's ROP include an exception for the European Union as recognized Regional Economic Integration Organization (REIO): Rule 24 allows the European Union to vote in lieu of its member States and with the number of votes of its member States that are participants in WP.29. However, whether another member can vote on behalf of another member/full participant is not specified in the ROP. To avoid any ambiguity about whether this is possible, adding such a rule to the Working Parties ROP could be helpful.

IV. Election of Officers

6. The rules currently differ on the length of the election cycle and the number of elected officials.

Table III.6

<i>WP / SC</i>	<i>Rule of Procedure</i>	<i>Rule</i>
WP.1	Rule 12: Every two years, WP.1 shall, at the end of the last session of the second year, elect from among the representatives of members of the ECE a Chairperson and two Vice-Chairpersons, who shall take office at the start of the first session of the year following their election. The officers shall be eligible for re-election.	Election every two years; two Vice-Chairpersons; re-election possible

<i>WP / SC</i>	<i>Rule of Procedure</i>	<i>Rule</i>
WP.5	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 member States of the ECE as a 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. and two Vice-Chairs, who shall take office at the start of the first session of the year following their election. The officers shall be eligible for re-election.	Election every two years; two Vice-Chairpersons; re-election possible; maximum of two consecutive terms
WP.6	Rule 12(a): The Working Party shall, every two years, elect a State from among the ECE member States, as the Chair. The representative of the elected State will be the Chair. The Working Party on Transport Statistics will also, at the same meeting, elect up to two ECE member States whose representatives will become Vice-Chairs for the same period.	Election every two years; two-Vice Chairs; re-election possible
WP.11	Rule 12: Every year, WP.11 shall elect a Chairperson and a Vice-Chairperson from among the representatives of full participants as defined in Rule 1. They shall take office at the session in the year following their election. The officers may be re-elected.	Election every year; one Vice-Chairperson; re-election possible
WP.15	Rule 12: Every year, WP.15 shall, at the end of the last session of the year, elect a Chairperson and a Vice-Chairperson from among the representatives of full participants as defined in Rule 1. They shall take office at the start of the first session in the year following their election. The officers may be re-elected.	Election every year; one Vice-Chairperson; re-election possible
WP.15/ AC.1	Rule 12: Every year, the Joint Meeting shall, at the end of the last session of the year, elect a Chairperson and a Vice-Chairperson from among the representatives of full participants as defined in Rule 1. They shall take office at the start of the first session in the year following their election. The officers may be re-elected.	Election every year; one Vice-Chairperson; re-election possible
WP.15/ AC.2	Rule 12: Every year, the ADN Safety Committee shall, at the beginning of the first session of the year, elect a Chairperson and a Vice-Chairperson from among the representatives of full participants as defined in Rule 1. They shall take office immediately after their election. The officers may be re-elected.	Election every year; one Vice-Chairperson; re-election possible
WP.24	Rule 12(a) WP.24 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. WP.24 will also, at the same meeting, elect up to two ECE member States whose representatives will become Vice-Chairs for the same period.	Election every two years; up to two Vice-Chairpersons; maximum of two consecutive terms
WP.29 / GRE GRVA GRBP GRPE GRSG GRSP	Rule 13: WP.29 shall, at the end of its last session of the year, elect from the representatives of participants as defined in Rule 1(a) a Chairperson and Vice-Chairperson(s), who shall take office at the start of the first session of the following year. The number of Vice-Chairpersons may vary from year to year depending upon need. The officers shall be eligible for re-election.	Election every year; varying number of Vice-Chairpersons; re-election possible

<i>WP / SC</i>	<i>Rule of Procedure</i>	<i>Rule</i>
WP.30	Rule 12: WP.30 shall, at its first meeting each year, elect from among the representatives of full participants, as defined in Rule 1, a Chair who shall hold office until its successor is elected. WP.30 may, however, decide to elect a Chair for its sessions of the following year at the last meeting of the year. WP.30 may also elect a Vice-Chair from among the representatives of full participants as defined in Rule 1. The officers may be re-elected.	Election every year; one Vice-Chairperson; re-election possible
SC.1	Rule 12, paragraph 17: Every two years, SC.1 shall, at the end of the session of the second year, elect from the representatives of members of the ECE a Chairperson and two Vice-Chairpersons, who shall take office at the start of the session of the year following their election. The officers shall be eligible for re-election.	Election every two years; two Vice-Chairpersons; re-election possible
SC.2	Rule 12(a): The Working Party 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 Working Party on Rail Transport will also, at the same meeting, elect up to two ECE member States whose representatives will become Vice-Chairs for the same period.	Election every two years; up to two Vice-Chairperson; maximum of two consecutive terms
SC.3	Rule 12(a): The Working Party shall, every two years, elect a State from among the ECE member States, as the Chair. The representative of the elected State will be the Chair. The Working Party will also, at the same meeting, elect up to two ECE member States whose representatives will become Vice-Chairs for the same period.	Election every two years; up to two Vice-Chairperson; no rule about re-election

7. Vice-Chair(person)

Table III.7

<i>WP / SC</i>	<i>Rule of Procedure</i>	<i>Result</i>
WP.1	Rule 13: If the Chairperson is absent from a session, or part thereof, one of the Vice-Chairpersons, designated by the Chairperson, shall preside.	Absence
WP.5	Rule 12: If the Chair is absent from a session, or part thereof, one of the Vice-Chairs, designated by the Chair, shall preside.	Absence
WP.6	Rule 13: If the Chair is absent from a meeting, or any part thereof, one of the Vice-Chairs, designated by the Chair, shall preside.	Absence
WP.11	Rule 13: If the Chairperson is absent from a session, or part thereof, or if the Chairperson so requests, the Vice-Chairperson shall preside.	Absence or Request
WP.15	Rule 13: If the Chairperson is absent from a session, or part thereof, or if the Chairperson so requests, the Vice-Chairperson shall preside.	Absence or Request
WP.15/ AC.1	Rule 13: If the Chairperson is absent from a session, or part thereof, or if the Chairperson so requests, the Vice-Chairperson shall preside.	Absence or Request
WP.15/ AC.2	Rule 13: If the Chairperson is absent from a session, or part thereof, or if the Chairperson so requests, the Vice-Chairperson shall preside.	Absence or Request
WP.24	Rule 13: If the Chair is absent from a meeting, or any part thereof, one of the Vice-Chairs, designated by the Chair, shall preside.	Absence
WP.29 / GRE / GRVA	Rule 14: If the Chairperson ceases to represent a participant, or can no longer hold office, one of the Vice-Chairpersons, designated by the participants as defined in Rule 1(a), shall become Chairperson for the	No rule about absence

<i>WP / SC</i>	<i>Rule of Procedure</i>	<i>Result</i>
GRBP/ GRPE GRSG / GRSP	unexpired portion of the term. In that case, or if one of the Vice-Chairpersons ceases to represent a participant, or can no longer hold office, WP.29 shall elect another Vice-Chairperson for the unexpired portion of the term.	
WP.30	Rule 13: If the Chair is absent from a meeting, or any part thereof, one of the Vice-Chairs, designated by the Chair, shall preside.	Absence
SC.1	Rule 13, para. 18: If the Chairperson of SC.1 is absent from a session, or part thereof, one of the Vice-Chairpersons, designated by the chairperson, shall preside.	Absence
SC.2	Rule 13: If the Chair is absent from a meeting, or any part thereof, one of the Vice-Chairs, designated by the Chair, shall preside.	Absence
SC.3	Rule 13: If the Chair is absent from a meeting, or any part thereof, the Vice-Chair or one of the Vice-Chairs designated by the Chair, if there are more than one Vice-Chairs, shall preside.	Absence

8. Participation Rights of Chair(person) and Vice-Chair(persons)

Table III.8

<i>WP / SC</i>	<i>Rule of Procedure</i>	<i>Rule</i>
WP.1	Rule 16: The Chairperson shall participate in WP.1 in this capacity and not as the representative of his/her State. WP.1 shall admit an alternate representative to represent that country, and to exercise its right to vote.	Alternative rep. for voting
WP.5	Rule 15: The Chair shall participate in WP.5 in this capacity and not as the representative of his/her State. WP.5 shall admit an alternate representative to represent that country, and to exercise its right to vote.	Alternative rep. for voting
WP.6	Rule 16: The Chair or the Vice-Chair acting as Chair shall participate in the meetings of the Working Party in this capacity and not as the representative of their State. The Working Party shall admit an alternate representative to represent that member in the meetings of the Working Party and to exercise its right to vote.	Alternative rep. for voting
WP.11	Rule 16: The Chairperson shall participate in WP.11 in this capacity and not as the representative of his/her country. The WP.11 shall admit an alternate representative to represent that participant and to exercise its right to vote. However, if there is no alternate representative or if the alternate representative is absent, the Chairperson may exercise his/her right to vote as the representative of his/her country.	Alternative rep. for voting; exception possible
WP.15	Rule 16: The Chairperson shall participate in WP.15 in this capacity and not as the representative of his/her country. WP.15 shall admit an alternate representative to represent that participant and to exercise its right to vote. However, if there is no alternate representative or if the alternate representative is absent, the Chairperson may exercise his/her right to vote as the representative of his/her country.	Alternative rep. for voting; exception possible
WP.15/ AC.1	Rule 16: The Chairperson shall participate in the Joint Meeting in this capacity and not as the representative of his/her country. The Joint Meeting shall admit an alternate representative to represent that participant and to exercise its right to vote. However, if there is no	Alternative rep. for voting;

<i>WP / SC</i>	<i>Rule of Procedure</i>	<i>Rule</i>
	alternate representative or if the alternate representative is absent, the Chairperson may exercise his/her right to vote as the representative of his/her country.	exception possible
WP.15/ AC.2	Rule 16: The Chairperson shall participate in the ADN Safety Committee in this capacity and not as the representative of his/her country. The ADN Safety Committee shall admit an alternate representative to represent that participant and to exercise its right to vote. However, if there is no alternate representative or if the alternate representative is absent, the Chairperson may exercise his/her right to vote as the representative of his/her country.	Alternative rep. for voting; exception possible
WP.24	Rule 16: The Chair or the Vice-Chair acting as Chair shall participate in the meetings of WP.24 in this capacity and not as representative of their State. WP.24 shall admit an alternate representative to represent that member in the meetings of WP.24 and to exercise its right to vote.	Alternative rep. for voting
WP.29 / GRE / GRVA GRBP/ GRPE GRSG / GRSP	Rule 16: The Chairperson or the Vice-Chairperson acting as Chairperson shall participate in WP.29 in this capacity and not as the representative of the participant, as defined in Rule 1(a), by whom he or she was accredited. WP.29 shall admit an alternate representative to represent that participant, and to exercise its right to vote.	Alternative rep. for voting
WP.30	Rule 16: The Chair shall participate in WP.30 in this capacity and not as the representative of their country. WP.30 shall admit an alternate representative to represent that participant and to exercise its right to vote. However, if there is no alternate representative or if the alternate representative is absent, the Chair may exercise their right to vote as the representative of their country.	Alternative rep. for voting; exception possible
SC.1	Rule 16, paragraph 21: The Chairperson or the Vice-Chairperson acting as Chairperson shall participate in SC.1 in this capacity and not as the representative of his/her State. SC.1 shall admit an alternate representative to represent that participant, and to exercise its right to vote.	Alternative rep. for voting
SC.2	Rule 16: The Chair or the Vice-Chair acting as Chair shall participate in the meetings of the Working Party in this capacity and not as the representative of their State. The Working Party shall admit an alternate representative to represent that member in the meetings of the Working Party and to exercise its right to vote.	Alternative rep. for voting
SC.3	The Chair or the Vice-Chair acting as Chair shall participate in the meetings of the Working Party in this capacity and not as the representative of their State. The Working Party shall admit an alternate representative to represent that member in the meetings of the Working Party and to exercise its right to vote.	Alternative rep. for voting

V. Individual ROP Variations

9. The ROP differ in relation to the rules about the Working Parties' sessions. Both the ECE and the ITC ROP stipulate a period of forty-two (42) days for the distribution of the notice of the opening date before the commencement of a session.⁵¹ The ROP differ regarding

⁵¹ E/ECE/778/Rev.5, Rule 3 and ECE/TRANS/294, annex III, Rule 4.

this notice period. These time frames could be harmonized to avoid ambiguity about the notice period among members and participants of Working Parties. However, because the different time frames do not change the outcome, harmonization shall be optional.

Table III.9

<i>WP / SC</i>	<i>Rule of Procedure</i>	<i>Result</i>
WP.1	Rule 4: The secretariat shall, at least six (6) weeks before the commencement of a session of WP.1, distribute a notice of the opening date of said session, together with a copy of the provisional agenda.	6 weeks before
WP.5	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 the said 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.	42 days before 6 weeks before
WP.6	Rule 4: The secretariat shall, at least forty-two days before the commencement of a session of the Working Party, distribute a notice of the opening date of the session, together with a copy of the provisional agenda.	42 days before
WP.11	Rule 4(a): The secretariat shall, at least twelve (12) weeks before the commencement of a session, announce the opening date of the session and distribute a copy of the provisional agenda via the ECE website.	12 weeks before
WP.15	Rule 4(a): The secretariat shall, at least twelve (12) weeks before the commencement of a session, announce the opening date of the session and distribute a copy of the provisional agenda via the ECE website.	12 weeks before
WP.15/ AC.1	Rule 4(a): The secretariats shall, at least twelve (12) weeks before the commencement of a session, announce the opening date of the session and distribute a copy of the provisional agenda via the ECE4 and OTIF5 websites.	12 weeks before
WP.15/ AC.2	Rule 4(a): The ECE secretariat shall, at least twelve (12) weeks before the commencement of a session, announce the opening date of the session and distribute a copy of the provisional agenda via the ECE website.	12 weeks before
WP.24	Rule 4: The secretariat shall, at least forty-two (42) days before the commencement of a session of WP.24, 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.	42 days before; 21 days in exceptional cases for basic documents relating to agenda items for reasons stated in writing
WP.29 / GRE / GRVA GRBP/ GRPE GRSG / GRSP	Rule 4: The Secretariat shall, at least six (6) weeks before the commencement of a session, distribute a notice of the opening date of said session, together with a copy of the provisional agenda.	6 weeks before
WP.30	Rule 4(a): The provisional agenda and the basic documents relating to each item on the agenda of a session shall be available on the relevant ECE website in all official languages of ECE at	42 days before; 21 days in exceptional

<i>WP / SC</i>	<i>Rule of Procedure</i>	<i>Result</i>
	the latest forty-two days before the opening of the session; however, in exceptional cases, translated texts may be made available on this site twenty-one days before the opening of the session.	cases for translated texts
SC.1	Rule 4, paragraph 7: The secretariat shall, at least six (6) weeks before the commencement of an SC.1 session, distribute a notice of the opening date of the session together with a copy of the provisional agenda.	6 weeks before
SC.2	Rule 4: The secretariat shall, at least forty-two days before the commencement of a session of the Working Party, 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 42 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 21 days before the opening of the session.	42 days before; 21 days in exceptional cases for basic documents relating to agenda items for reasons stated in writing
SC.3	Rule 4: The secretariat shall, at least forty-two days before the commencement of a session of the Working Party, 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.	42 days before; 21 days in exceptional cases for basic documents relating to agenda items for reasons stated in writing

10. The rules about whether to conduct the WP sessions in private or in public vary across the WP. The meetings of ECE shall ordinarily be held in public, but the Commission may decide that a particular meeting or meetings shall be held in private.⁵² The same applies for meetings of the ITC,⁵³ and, because they do not have their own ROP, to WP.3, WP.6, WP.24, and SC.3. Harmonizing these rules across the WP is not necessary as long as the rules do not exclude a non-ECE member and Contracting State from attendance and participation.

Table III.10

<i>WP / SC</i>	<i>Rule of Procedure</i>	<i>Result</i>
WP.1	Rule 21: As a general rule, WP.1 shall meet in private sessions.	Private
WP.5	Rule 21 0 : As a general rule, WP.5 meetings shall ordinarily be held in public. WP.5 may decide that a particular meeting or meetings may be held in private.	Public, exceptions possible
WP.6	Rule 42: The meetings of the Working Party shall ordinarily be held in public. The Working Party may decide that a particular meeting or meetings shall be held in private.	Public, exceptions possible
WP.11	Rule 21: Unless otherwise decided, WP.11 shall meet in private session.	Private
WP.15	Rule 21: Unless otherwise decided, WP.15 shall meet in private session.	Private

⁵² E/ECE/778/Rev.5, Rule 50.

⁵³ ECE/TRANS/294, annex III, Rule 44.

<i>WP / SC</i>	<i>Rule of Procedure</i>	<i>Result</i>
WP.15/ AC.1	Rule 21: Unless otherwise decided, the Joint Meeting shall meet in private session.	Private
WP.15/ AC.2	Rule 21: Unless otherwise decided, the ADN Safety Committee shall meet in private session.	Private
WP.24	Rule 42: The meetings of WP.24 shall ordinarily be held in public. WP.24 may decide that a particular meeting or meetings shall be held in private.	Public, exceptions possible
WP.29 / GRE / GRVA GRBP/ GRPE GRSG / GRSP	Rule 19: The sessions of WP.29 and its subsidiary bodies shall be held in public.	Public
WP.30	Rule 21: Unless otherwise decided, WP.30 shall meet in private sessions.	Private
SC.1	Rule 21: In general, SC.1 shall meet in closed session.	Private
SC.2	Rule 42: The meetings of the Working Party shall ordinarily be held in public. The Working Party may decide that a particular meeting or meetings shall be held in private.	Public, exceptions possible
SC.3	Rule 42: The meetings of the Working Party shall ordinarily be held in public. The Working Party may decide that a particular meeting or meetings shall be held in private.	Public, exceptions possible

11. The Working Parties' ROP differ in regard to their rules about the location of a session. While sessions of all Working Parties shall ordinarily be held at the United Nations Office at Geneva, the ROP generally allow exceptions from this rule. However, not all Working Parties require ITC concurrence for holding a session elsewhere:

Table III.11

<i>WP / SC</i>	<i>Rule of Procedure</i>	<i>Result</i>
WP.1	Rule 3: Sessions shall ordinarily be held at the United Nations Office at Geneva (UNOG), Switzerland. WP.1 may, with the concurrence of the Inland Transport Committee, hold a particular session elsewhere. In that case, the relevant United Nations rules and regulations shall apply.	ITC concurrence required
WP.5	Rule 3: Sessions shall ordinarily be held at the United Nations Office at Geneva (UNOG), Switzerland. WP.5 may, with the concurrence of the Inland Transport Committee, hold a particular session elsewhere. In that case, the relevant United Nations rules and regulations shall apply.	ITC concurrence required
WP.6	Rule 3: Sessions shall ordinarily be held at the United Nations Office at Geneva (UNOG). The Working Party may, with the concurrence of ITC, decide to hold a particular session elsewhere. In that case, the relevant United Nations rules and regulations shall apply.	ITC concurrence required
WP.11	Rule 3: Sessions shall ordinarily be held at the United Nations Office at Geneva. If WP.11 decides to hold a particular session elsewhere, the relevant United Nations rules and regulations shall apply.	No ITC concurrence required
WP.15	Rule 3: Sessions shall ordinarily be held at the United Nations Office at Geneva. If WP.15 decides to hold a particular	No ITC concurrence required

<i>WP / SC</i>	<i>Rule of Procedure</i>	<i>Result</i>
	session elsewhere, the relevant United Nations rules and regulations shall apply.	
WP.15/ AC.1	Rule 3: Sessions shall ordinarily be held on an alternating basis at the United Nations Office at Geneva and at the headquarters of the Universal Postal Union in Bern. The Joint Meeting may decide to hold a particular session elsewhere. Wherever the session is held, the relevant United Nations rules and regulations shall apply.	No ITC concurrence required
WP.15/ AC.2	Rule 3: Sessions shall ordinarily be held at the United Nations Office at Geneva. If the ADN Safety Committee decides to hold a particular session elsewhere, or by using video-conferencing, the relevant United Nations rules and regulations shall apply.	No ITC concurrence required
WP.24	Rule 3: Sessions shall ordinarily be held at the United Nations Office at Geneva (UNOG). WP.24 may, with the concurrence of ITC, decide to hold a particular session elsewhere. In that case, the relevant United Nations rules and regulations shall apply.	ITC concurrence required
WP.29 / GRE / GRVA GRBP/ GRPE GRSG / GRSP	Rule 3: Sessions shall ordinarily be held at the United Nations Office at Geneva (UNOG), Switzerland. If WP.29 decides to hold a particular session elsewhere, the relevant UN Rules and Regulations shall apply.	No ITC concurrence required
WP.30	Rule 3: Sessions shall ordinarily be held at the United Nations Office at Geneva. WP.30 may, with the concurrence of the Inland Transport Committee, hold a particular session elsewhere. In that case, the relevant United Nations rules and regulations shall apply.	ITC concurrence required
SC.1	Rule 3: Sessions of SC.1 shall ordinarily be held at the United Nations Office at Geneva (UNOG), Switzerland. SC.1 may, with the concurrence of the Inland Transport Committee, hold a particular session elsewhere. In that case, the relevant United Nations rules and regulations shall apply.	ITC concurrence required
SC.2	Rule 3: Sessions shall ordinarily be held at the United Nations Office at Geneva (UNOG). The Working Party may, with the concurrence of ITC, decide to hold a particular session elsewhere. In that case, the relevant United Nations rules and regulations shall apply.	ITC concurrence required
SC.3	Rule 3: Sessions shall ordinarily be held at the United Nations Office at Geneva (UNOG). The Working Party may, with the concurrence of ITC, decide to hold a particular session elsewhere. In that case, the relevant United Nations rules and regulations shall apply. Sessions may also be held in a hybrid format, in which case some of the members participate in them at UNOG while others join them through virtual means.	ITC concurrence required

VI. Groups of Experts

12. Except for WP.29 and its subsidiary WP, all WP allow the establishment of groups of experts. The WP ROP still refer to these groups as “ad hoc groups”, while ECE uses the term

“team of specialists”⁵⁴. Some WP require prior approval by ITC for the establishment of groups of experts, while others require these groups to be hosted and invited by a participant in the respective WP.

Table III.12

<i>WP / SC</i>	<i>Rule of Procedure</i>	<i>Result</i>
WP.1	Rule 31: Between sessions, WP.1 may be assisted in carrying out its tasks by ad hoc groups. The creation and the holding of meetings of these groups require prior approval by the Inland Transport Committee.	ITC Approval required
WP.5	Rule 319: As it deems necessary for the performance of its functions, B etween 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. The creation and the holding of meetings of these subsidiary bodies, including the adoption of their terms of reference and rules of procedure groups require prior approval endorsement by the Inland Transport Committee and approval by EXCOM.	ITC Approval required
WP.6	-	
WP.11	Rule 40: Between sessions, WP.11 may be assisted in its tasks by informal ad hoc groups. To be established and hold meetings, such groups must be hosted and invited by a participant in WP.11 as defined in Rule 1.	Hosting and Invitation by WP participant needed
WP.15	Rule 43: Between sessions, WP.15 may be assisted in its tasks by ad hoc groups. To be established and hold meetings, such groups must be hosted and invited by a participant in WP.15 as defined in Rule 1.	Hosting and Invitation by WP participant needed
WP.15/ AC.1	Rule 43: Between sessions, the Joint Meeting may be assisted in its tasks by ad hoc groups. To be established and hold meetings, such groups must be hosted and invited by a participant in the Joint Meeting as defined in Rule 1.	Hosting and Invitation by WP participant needed
WP.15/ AC.2	Rule 41: Between sessions, the ADN Safety Committee may be assisted in its tasks by Informal Working groups. To be established and hold meetings, the Safety Committee shall give a clear mandate to such Informal Working Groups and they must be invited and hosted by a participant in the ADN Safety Committee as defined in Rule 1. The Secretariat of CCNR may, within its capacities, give support in hosting an Informal Working Group. Translation is not obligatory.	Clear mandate by the Safety Committee; Hosting and invitation by participant in the ADN Safety Committee
WP.24	Rule 17: With the endorsement of ITC and the approval of EXCOM, WP.24 may establish subsidiary bodies, such as teams of specialists, 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	No Rule on ad hoc groups included, but possibility to establish subsidiary bodies with ITC

⁵⁴ A team of specialists is an expert body which is established through a procedure set by a UNECE Sectoral Committee and supervised either directly by the Sectoral Committee or by one of its Working Parties (Guidelines for the establishment and functioning of teams of specialists within UNECE (ECE/EX/2/Rev.1)).

<i>WP / SC</i>	<i>Rule of Procedure</i>	<i>Result</i>
	necessary for the effective discharge of the technical responsibilities laid upon them may be delegated to them.	endorsement and EXCOM approval
WP.29 / GRE / GRVA GRBP/ GRPE GRSG / GRSP	Rule 34: WP.29 may propose to the ITC to establish a new subsidiary body or to dissolve an existing one, and shall provide justification for such action.	No Rule on ad hoc groups included, but possibility to establish subsidiary bodies
WP.30	Rule 40: Between sessions, WP.30 may be assisted in carrying out its tasks by ad hoc groups. The creation and mandate of these groups shall be approved by the Inland Transport Committee and the Executive Committee of ECE.	ITC and EXCOM approval required
SC.1	Rule 31, para. 36: Between sessions, SC.1 may be assisted in carrying out its tasks by ad hoc groups. The creation and the holding of meetings of these groups require prior approval by the Inland Transport Committee.	ITC Approval required
SC.2	Rule 17(a): With the endorsement of the Inland Transport Committee and the approval of EXCOM, the Working Party may establish subsidiary bodies, such as continually acting or other teams of specialists, 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 discharge of the technical responsibilities laid upon them may be delegated to them. Rule 17(b): Subject to the endorsement of ITC and the approval of EXCOM, the Working Party may extend or discontinue such subsidiary bodies as it deems necessary to assist it in carrying out its tasks.	No Rule on ad hoc groups included, but possibility to establish subsidiary bodies with endorsement of ITC and approval of EXCOM
SC.3	Rule 17(a): With the endorsement of ITC and the approval of EXCOM, the Working Party may establish subsidiary bodies, such as continually acting Working Parties or other teams of specialists, 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 discharge of the technical responsibilities laid upon them may be delegated to them. Rule 17(b): Subject to the endorsement of ITC and the approval of EXCOM, the Working Party may extend or discontinue such subsidiary bodies as it deems necessary to assist it in carrying out its tasks.	No Rule on ad hoc groups included, but possibility to establish subsidiary bodies with endorsement of ITC and approval of EXCOM

VII. Amending the ROP

Table III.13

<i>WP / SC</i>	<i>Rule of Procedure</i>	<i>Result</i>
WP.1	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	Prior approval of ECE

<i>WP / SC</i>	<i>Rule of Procedure</i>	<i>Result</i>
	particular those in paragraph 11 ⁵⁵ , shall require the prior approval of the Commission.	
WP.5	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.	Prior approval of ECE
WP.6	Rule 44: Any of these rules of procedure may be amended or suspended by the Working Party provided that the proposed amendments or suspensions are adopted by ITC and approved by EXCOM and do not attempt to set aside the Working Party's terms of reference.	Adoption of ITC and approval by EXCOM
WP.11	Rule 41: Any of these rules of procedure may be amended in accordance with Rule 35. However, any proposed amendment shall require the approval of the Inland Transport Committee and the endorsement of the Executive Committee of ECE.	Approval of ITC and endorsement of EXCOM
WP.15	Rule 44: Any of these Rules of Procedure may be amended in accordance with Rule 35. However, any proposed amendment shall require the approval of the Inland Transport Committee and the endorsement of the Executive Committee of ECE.	Approval of ITC and endorsement of EXCOM
WP.15/ AC.1	Rule 44: Any of these Rules of Procedure may be amended in accordance with Rule 35. However, any proposed amendment shall require the approval of the Inland Transport Committee and the endorsement of the Executive Committee of ECE on the one hand, and OTIF on the other.	Approval of ITC and endorsement of EXCOM
WP.15/ AC.2	Rule 42: Any of these Rules of Procedure may be amended in accordance with Chapter VIII. However, any proposed amendments shall require the approval of the Inland Transport Committee and the endorsement of the Executive Committee of ECE. ⁵⁶	Approval of ITC and endorsement of EXCOM
WP.24	Rule 44: Any of these rules of procedure may be amended or suspended by WP.24 provided that the proposed amendments or suspensions are adopted by ITC and approved by EXCOM and do not attempt to set aside the WP.24's terms of reference.	Adoption by ITC and approval by EXCOM

⁵⁵ UNECE TOR paragraph 11: "The Commission shall invite any Member of the United Nations not a member of the Commission to participate in a consultative capacity in its consideration of any matter of particular concern to that non-member."

⁵⁶ Rule 42 of the new proposed ROP (see Annex V to ECE/TRANS/2023/9) of WP.15/AC.2 will, pending adoption by ITC and subject to the decisions of ITC at its 85th session, require "the adoption of the Inland Transport Committee and the approval of the Executive Committee of ECE."

<i>WP / SC</i>	<i>Rule of Procedure</i>	<i>Result</i>
WP.29 / GRE / GRVA GRBP/ GRPE GRSG / GRSP	Rule 39: Any of these Rules of Procedure may be amended, in accordance with Rule 25.	No approval needed
WP.30	Rule 41: Any of these Rules of Procedure may be amended in accordance with Rule 25. However, any proposed amendment shall require the approval of the Inland Transport Committee and the endorsement of the Executive Committee of ECE.	Approval of ITC and endorsement of EXCOM
SC.1	Rule 32, para. 38: 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.	No approval needed, unless amendment affects Rule 1 (participation rights) or Rule 27 (one vote per member), then prior approval of ECE
SC.2	Rule 44: Any of these rules of procedure may be amended or suspended by the Working Party provided that the proposed amendments or suspensions are adopted by ITC and approved by EXCOM and do not attempt to set aside the Working Party's terms of reference.	Adoption of ITC and approval by EXCOM
SC.3	Rule 44: Any of these rules of procedure may be amended or suspended by the Working Party provided that the proposed amendments or suspensions are adopted by ITC and approved by EXCOM and do not attempt to set aside the Working Party's terms of reference.	Adoption of ITC and approval by EXCOM

VIII. Differences in Terminology

13. In addition to the examples laid out in paragraph Section IV. G of this document, further examples of varying terminology across ROP include:

(a) Some ROP use the term "Chair" and "Vice-Chair" while others use "Chairperson" and "Vice-Chairpersons".

(b) Some ROP allow for representatives to be accompanied by "alternate representatives, advisers or experts" (e.g., Rule 10 of WP.11's ROP), whereas others only mention "alternate representatives and/or advisers" (e.g., Rule 10 of WP.1's ROP), which may lead to uncertainty about who may accompany a representative. The WP should follow the ITC rule, which allows representatives to be accompanied to the ITC sessions by alternate representatives, advisers and experts and, when absent, he or she may be replaced by an alternate representative (Rule 10).

IX. Updating of References to the ECE ROP

14. Some ROP include references to the old ECE ROP and should be updated:

(a) The ROP of WP.1 and SC.1 still refer to the old version of the ECE ROP: In Rule 29, they both refer to Rules 37 to 39 of the ECE ROP, which are currently Rules 41 to 43. The ROP should be updated accordingly to avoid confusion and mistakes in procedure.

~~(b) In Rule 32, WP.5's ROP state: "Any of these Rules of Procedure may be amended, in accordance with Rule 28." If the aim of Rule 32 was to refer to the decision-making process based on consensus, the reference to Rule 28 is incorrect. WP.1's ROP~~

~~include the same terminology in Rule 32, but Rule 28 of WP.1's ROP covers the decision-making process based on consensus. Rule 28 of WP.5's ROP, on the other hand, includes the reference to Rule 41 to 43 of the ECE ROP, which cover the procedure for voting and elections. Because WP.5's ROP differ from other ROP in the numbering of rules,⁵⁷ the correct reference would be Rule 27 (if the goal is to enable amendments of the ROP based on consensus). This should be updated to avoid any confusion and ensure that amendments to WP.5's ROP cannot amend the rule about decision making based on consensus.~~

⁵⁷ ~~Note: This is due to WP.5 combining the rule about Chairperson and Vice-Chairperson with the rule about the absence of the Chairperson from sessions.~~