

## **Minutes of the 4th Session of the Informal Group of IWVTA**

Date, time, and the venue:

January 18, 2011, 10:00-17:00 at Mita Conference Hall for Common Use, Tokyo

Participants: Messrs. Gauvin (Chair), Renders (Co-chair), Onoda (Co-chair), Ueno/ Oshita  
(Technical Secretary),

Government: Cambodia, China, EU, India, Indonesia, Japan, Malaysia, Myanmar,  
Thailand

Industry: OICA, CLEPA

### **Agenda 1. Adoption of the agenda**

#### **IWVTA-04-01**

- Agenda 4: Overview of the IWVTA basic concept presented by OICA is added.

### **Agenda 2. Adoption of the 3<sup>rd</sup> meeting report**

#### **IWVTA-04-02**

- The report is adopted without any comments.

### **Agenda 3. Consideration of elements to be addressed in the review of the 1958 Agreement**

#### **IWVTA-04-07**

- The items listed in IWVTA-04-07 is discussed one by one.
- The Chair indicates the 1958 agreement review can be grouped into (1) amendments of the text, (2) amendments of the annexes or regulations, and (3) no amendments necessary.
- The role of Technical Secretary will be taken over from Mr. Ueno to Mr. Oshita starting at the 5<sup>th</sup> Informal Group meeting.

Paragraph 14. Criteria for establishing new Regulations

- Japan asks the definition of “Alternative”. EU replies that the definition is under discussion at WP29 (WP29/2011/48) and that the alternative technical requirements is to be applied to all Contracting Parties.
- Japan asks whether the “Alternative” includes the different levels of technical requirements. Japan adds that this may make it easy for various countries to join the Agreement.
- The Chair indicates that “Alternative” is an equivalent technical requirement to be accepted by all Contracting Parties where as “Option” is a different level of technical requirements to be accepted only by some Contracting Parties.
- The Chair asks OICA to write up the definitions of “Alternative” and “Option”.

#### Paragraph 15. Criteria for amending existing Regulations

- The Chair illustrates that the alteration and abolition of Regulations is appropriately done by WP29 Secretariat.
- OICA points out that several Regulations are very out-dated and probably of no use anymore.
- Attendants agree on the need for splitting regulations covering a multitude of different topics into separate Regulations.
- The Chair indicates that the concern for amendments of existing Regulations for type approvals issued based on the existing Regulation can be solved by the use of transitional provisions.

#### Paragraph 16. Procedure for adoption, voting, notification, objection/ disagreement, entry into force

- OICA points out the necessity of accelerated adoption procedure in order to introduce new technologies to the market without delay. Attendants agree to continue discussing this issue in the future.
- OICA supports the idea to include introductory provisions proposed by Russian Federation as a way to control the period between adoption and entry into force of new regulations. The Chair explains that UN is not in a position to control the effective date of new Regulations in each country. EU indicates that the effective date is controlled by the date of adoption of new regulations by each country.
- The Chair indicates that these issues should be discussed at the next IWVTA meeting in March 2011, in the presence of the UNECE secretariat.

#### Paragraph 17. Quality of rulemaking

- The Chair indicates that attendants generally agree on the need to improve the quality of rulemaking but they lack concrete idea.
- The Chair indicates that it is necessary to address this issue as a guideline not as amendment of 1958 Agreement.

#### Paragraph 18. Rights and obligations for Contracting Parties

- EU indicates that careful scrutiny is necessary if the wording “without any further testing or administrative procedures” should be inserted in Article 3 which OICA and CLEPA claim. The Chair proposes to review the whole sentences of Article 3, rather than just the above-mentioned wording and invites OICA + CLEPA to prepare a draft proposal to that extent.

#### Paragraph 19. Procedure for type-approval

- OICA points out that there is no reason to delete the statements relating to “other administrative procedures” because it is perfectly feasible for a Contracting Party to use self-certification on the national market and the door should be kept open to Korea. The

Chair informs of the March meeting with Korean government on this issue.

- OICA proposes that the wording “a Contracting Party applying a Regulation through type approval” should be replaced by “a Contracting Party applying a Regulation” in order to promote emerging-market countries having no test facilities to join the Agreement. The Chair replies that in reality no problems arises from this wording because it is the Contracting Party’s discretion as to whether to issue ECE type approval or not.

Paragraph 20. Application procedure to be followed for type approval

- The Chair proposes to add only simple introductory few sentences to the Agreement and attach appropriate annex for detailed provisions.
- EU and Japan to prepare a draft proposal.

Paragraph 21. Conduct of the type-approval with related testing and inspection

- EU and Japan to prepare a draft proposal.

Paragraph 22. Testing required for type-approval

- EU and Japan to prepare a draft proposal.
- EU supports Japanese proposal to set up a place where approval authorities and technical services discuss interpretation of technical requirements, etc. EU already has a similar mechanism.
- The Chair asks EU and Japan to come up with ideas for such a mechanism in the WP29 framework.
- OICA indicates the importance to make the requirements for type approval documentation consistent across different ECE regulations, which will be examined in due course. The Chair invites OICA to prepare a draft proposal for a harmonized format to be annexed to the guidelines document ECE/TRANS/WP29/1059.

Paragraph 23. Self-testing and virtual testing

- Japan requests to make clear the definition of self-testing and virtual testing.
- The Chair points out that self-testing appears in the Agreement whereas virtual testing does not appear in the Agreement and asks that EU and Japan to prepare a draft proposal on how to handle the issue in the Agreement.

Paragraph 24. New technologies

- The Chair points out the necessity of careful deliberation on ECE/TRANS/WP29/1059 because it serves as a basis for discussing provisions to deal with new technologies.
- OICA refers in this context to the EU procedure for decision-making in relation to the type-approval of new technologies.
- Japan points out that new technologies may improve safety performance and they should be introduced to the market as soon as possible as long as they are considered to be without safety concern. Japan adds that it would be prepared to make a contribution by providing

Japanese experience, etc.

- The Chair requests EU and Japan to prepare a draft proposal to be discussed in June.

Paragraph 25. Granting of type-approvals, amendments, refusal or withdrawal, and validity

- OICA wants to confirm that existing approvals should never lose their validity as long as any Contracting Parties should accept them.
- EU has concerns about infinite validity of approvals and points out the necessity for further discussion.
- EU and Japan to prepare a draft proposal.

Paragraph 26. COP

- Japan points out that Appendix 2 is the key for type approval system and the amendments of either the Agreement itself or Appendix 2 is necessary.
- EU and Japan to prepare a draft proposal for amending Appendix 2.

Paragraph 27. Obligations and rights of the manufactures under the type-approval procedure

- Japan claims that COC issue should be discussed after IWVTA concept should be made clear.
- OICA generally agrees on the idea to introduce COC issued by a manufacturer. However, OICA has a concern for providing COC in all official languages which seems to be extremely burdensome.

Paragraph 28. Duties incumbent on Contracting parties issuing and accepting type-approval

- The Chair points out that every participant agrees on the idea to set up DETA, however, the issue as to who pays the expense has not been solved.
- Japan states that no particular problems are recognized with the current wording in Article 3 about the location of vehicle assembly plant.
- EU proposes to amend Article 3 and Appendix 2 to ensure that COP will be performed and monitored as rigorously and reliably for series production taking place outside the territory of CPs. EU is invited to come up with practical well-balanced approach considering the potential way to use guarantee by the manufacturer which OICA suggests.

Paragraph 29. Qualification, designation and notification and duties of technical services

- The Chair solicits comments on Chapter D of ECE/TRANS/WP29/1059 to be submitted by June which will be the basis for discussion on technical services.
- Japan points out the necessity of careful deliberation on Chapter D because it was drawn up keeping only EU countries in mind. The Chair draws attention to the point that ECE/TRANS/WP29/1059 was agreed by all Contracting Parties. However, the Chair concludes that the application of Chapter D must be revised considering the points raised by Japan.

## Paragraph 30. Implementation and enforcement

- Japan indicates that safety and environmental performance of vehicles should be ensured under the responsibility and authority of each Contracting Party, therefore it is not appropriate to specify surveillance or recall provisions in the Agreement. It is beyond the scope of type approval system.
- EU points out that it is important to ensure safety and environmental performance of vehicles globally from a mutual-recognition-of-type-approval point of view as well as addressing safety and environmental concerns nationally / regionally within the territory of CPs.
- EU accepts to give priority to review the dispute settlement procedure in Article 10 first, and to consider market surveillance and recall provisions at a later stage. The Chair indicates that these two latter issues may need to be discussed in WP.29 first
- The Chair states that dispute settlement procedure will be discussed on the basis of ECE/TRANS/WP29/1059 in June. It was agreed that doc WP29/1059 should be annexed to the 1958 Agreement, after proper reconsideration of its text which will be put on the agenda of the June IG meeting

## Additional Comments

### Voting Procedure

- EU considers that reviewing the voting procedure is only one of the ways to make the Agreement more attractive for non-EU countries as CLEPA suggests and would be ready to consider this review by evaluating the situation and obstacles. Voting procedures of other UN Treaties may be looked at for reference purposes. However, other ways should be explored as well such as revising the governance of WP.29 to attract and involve non-CPs to the 58 Agreement.

## Roadmap

### IWVTA-04-08

- EU agrees on the proposed roadmap incorporating the Revision of the 1958 Agreement at the moment. EU also points out the necessity to update the roadmap as necessity arises in a timely manner.

## Agenda 4. Overview of the IWVTA basic concept

### IWVTA-04-10

- OICA makes presentation on step-by-step approach to introduce IWVTA.
- EU asks about the contents of Green BOX (ECE regulations to be applied at Step 1).
- OICA replies that practically they should be the ones adopted in many of Contracting Parties such as the ones required at EU-IWVTA.
- Japan indicates that required items, not required regulations are slated to be discussed first.
- Japan asks about the image of Orange box (National WVTA).
- EU is concerned about the difficulty of setting up a notification process for national

requirements of each CP.

#### Agenda 5. Other

- Next meeting

Date: March 4 (Friday) 10:00 -

Venue: CCFA (Paris)

#### Agenda (draft)

1. Adoption of the agenda
2. Adoption of the Report for the 4<sup>th</sup> Informal Group meeting
3. Elements to be addressed in the review of the 1958 Agreement : topics of the 4<sup>th</sup> Informal Group meeting
4. Discussion on IWVTA ECE0 concept
5. Discussion on technical requirements item list
6. Updates of roadmap
7. Other

#### Action Items

Action Items	Responsible	Due
Agenda 3		
Paragraph 14. -write up the definitions of “Alternative” and “Option”	OICA	June
Paragraph 18. - review the whole sentences of Article 3	EU/OICA/CLEPA	June
Paragraph 19. - meeting with Korean government on self-certification	The Chair	June
Paragraph 20. - prepare a draft proposal	EU/Japan	June
Paragraph 21. - prepare a draft proposal	EU/Japan	June
Paragraph 22. - prepare a draft proposal  - come up with ideas for a mechanism to set up a place of discussion between approval authorities and technical services	EU/Japan	June
Paragraph 22. - prepare a draft proposal for a harmonized format to be annexed to the guidelines document ECE/TRANS/WP29/1059	OICA	June

Paragraph 23. – prepare a draft proposal on how to handle the issues of self-testing and virtual testing in the Agreement.	EU/Japan	June
Paragraph 24. - prepare a draft proposal	EU/Japan	June
Paragraph 25. - prepare a draft proposal	EU/Japan	June
Paragraph 26. - prepare a draft proposal for amending Appendix 2	EU/Japan	June
Paragraph 28. - prepare a draft proposal for amending Article 3 and Appendix 2 to ensure that COP will be performed and monitored as rigorously and reliably for series production taking place outside the territory of CPs and come up with practical well-balanced approach considering the potential way to use guarantee by the manufacturer	EU	June
Paragraph 29. - submit comments on Chapter D of ECE/TRANS/WP29/1059	All members	June
Paragraph 30. - review the dispute settlement procedure in Article 10  - discuss principles of market surveillance and recall procedures first in WP.29	All Parties concerned	June
Roadmap - update the roadmap	All members	timely
Agenda 4. IWVTA ECE0 concept – review ECE0 concept	All members	March

#### Attendance list

	NAME	Country or organization
1	Mr. Anthony Millington	ACEA Tokyo Office
2	Mr. J. Renders	European Commission
3	Mr. Bernard GAUVIN	WP29 Chairman
4	Mr. Takao Onoda	JAPAN
5	Mr. Ambuj Sharma	INDIA
6	Ms. Phulporn Saengbangpla	TSAE-THAILAND
7	Mr. Isagani Erna	ASEAN Secretary
8	Ms. Jiraporn kaewkraisom	THAILANS
9	Mr. Khin Maung Lin	MYANMAR
10	Ms. Xuan Yi	CATARC / CHINA

11	Mr.K K Gandhi	SIAM / INDIA
12	Mr. Tengku Azizaw	MALAYSIA
13	Ms. Zuraini mohd zin	MALAYSIA
14	Mr. Ryo Yamada	JAPAN
15	Mr. Akinobu Murai	JAPAN
16	Mr. Kenich Tomita	JAPAN
17	Mr. Takahiro Ikari	JAPAN
18	Ms. Kazuko Koiso	JAPAN
19	Mr. Kengo Yabe	JAPAN
20	Mr. Hiroyuki Inomata	JAPAN
21	Mr. Naoki Hagiwara	OICA / BMW
22	Mr. Masayuki Motohashi	OICA / Mazda
23	Mr. Kazuo Sakakibara	JAPIA / DENSO
24	Mr. Kiminori Hyodo	JAPIA / Koito
25	Mr. Akira Togashi	JAPIA
26	Ms Eleri Wessman	CLEPA
27	Mr Marin Gerstl	CLEPA / BOSCH
28	Mr Louis Sylvain Ayrat	CLEPA
29	Mr. Julien ESTAVOYER	OICA / PSA
30	Mr. Elkmr Winter	OICA / Volkswagen
31	Mr. Ben Van Assche	OICA / Honda
32	Dr. Peter Schramm	OICA / Daimler
33	Mr. Yves VAN DER STRAATEN	OICA
34	Mr. Tadaomi AKIBA	OICA / Nissan
35	Ms. Azumi Tajima	OICA / Nissan
36	Ms. Ritsuko Mine	OICA /Toyota
37	Mr. Michio Miyamoto	OICA /Toyota
38	Mr. Takeshi Ishikawa	OICA / Honda
39	Mr. Noriyuki Seki	OICA / Honda
40	Mr. Ryousuke Ishikawa	OICA / Suzuki
41	Mr. Ahmad Kamal	MITI, MALAYSIA
42	Mr. Mohd sharulnizam bin sarip	JPJ, Malaysia
43	Mr. Eko Rudianto	OICA / GAIKINDO / INDONESIA
44	Mr. Hari Sasono	IMMS / FAMI / AISI / Honda / INDONESIA
45	Mr. Ryozo Oshita	IWVTA Technical Secretary
46	Mr. Ushio Ueno	JASIC / JAPAN
47	Ms. Yuki Toba	JASIC / JAPAN
48	Ms. Naomi Mori	JASIC / JAPAN