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Item 4 (g) of the provisional agenda

REVISION OF THE CONSOLIDATED RESOLUTION R.E.1

Proposals by FEVR

Note by the secretariat

Proposals and comments by the European Federation of Road Traffic Victims (FEVR) concerning chapters 2 and 4 are reproduced below. Annex 8 of document TRANS/SC.1/294/Rev.5 has also been examined.

The numbering of the paragraphs is based on those, which appear in document ECE/TRANS/WP.1/2005/15/Rev.3.

Revision of R.E.1 (proposals submitted by FEVR)

The modifications made to document TRANS/WP.1/2004/10 appear in bold.

Chapter 2 Means of influencing behaviour on the road

Introduction:

Since most motorized means of transportation can take road users to the limits of their physiological and psychological capabilities, behaviour assumes great importance. The more so because motor vehicles seem to provide power and speed beyond the purpose of mere transportation.

Besides rules for behaviour in traffic (chapter 1), a number of social institutions should be mobilized and motivated to achieve safety in traffic. The education of drivers should start at an early age, i.e., by parents, in elementary and secondary schools (**2.1.3**) and finally in training and examinations for acquiring driving permits (**2.1.1**). The early steps in road training will contribute substantially to safe behaviour in adolescence and later on.

First aid for road crash victims should be part of the training of professional medical personnel, but also of drivers (**2.1.2**).

Communication strategies and awareness campaigns should keep drivers up-to-date and alert. They too mobilize and motivate parents, schools and other social institutions. They also create the awareness of the general public that is a necessary basis for good road traffic safety (**2.2**)

Safe behaviour of drivers has to be ensured by controls carried out by police and sanctions imposed by the legal authorities. Special attention should be given to drivers who intentionally break the rules. Development and use should be encouraged of all technical means for assisting drivers to comply with the rules (**2.3**).

Road crash victims, if they volunteer for such a role, can be instrumental in training and awareness campaigns to communicate the severity of the impact of road crashes.

2.1 Education of road users

Introductory sentence:

The present item covers the requirements for specific training leading to different driving permits (2.1.1), the requirements for training leading to first aid certificates for medical personnel and drivers (2.1.2); **and the general education which should be provided by parents, primary and secondary schools (2.1.3).**

2.1.3 Instructing of children in safe road behaviour

The education of children for their own protection is a necessary evil and should not lead to any legal responsibility for parents or children. However, these first steps in road safety training will contribute to safe behaviour in adolescence and in later life.

The basic principles of road safety should be instilled in children from the earliest age in order to make them aware of safe road behaviour. For this purpose, appropriate steps shall be taken to encourage road safety instruction for children and ensure that it is given, as far as possible, in accordance with the principles and provisions outlined in annex 8 of this Resolution. Such instruction [shall respect the limitations of children (e.g. age, development) in all cases and] shall comply with the following principles:

- (a) The main aim of road traffic safety education shall be:
 - (i) To instil the knowledge necessary to observe road traffic rules and for safety on the road or street;
 - (ii) To approach correct and safe behaviour in specific traffic situations according to limits of children (e.g. age, development);
 - (iii) To develop awareness of the importance and usefulness of road traffic safety rules and the measures taken.
- (b) To be effective, road safety education shall be provided on a systematic and continuous basis in pre-school establishments, primary and secondary schools, within out-of-school activities and places of further education. Every effort shall be made to secure the active participation of children and the cooperation and participation of parents to enable them to be an integral part of the tuition process, particularly in the early ages;
- (c) Road safety instruction may be taught not only as a single subject but should also be incorporated into more general approaches designed to ensure that the child and teenager learn to respect the fundamental values of everyday life. Furthermore, it should encourage young people to adopt reasonable, safe and considerate conduct not only when driving but in day-to-day living, especially in respect of other people. To have maximum

educational impact, road safety education must cover areas beyond simply the highway code, such as practical skills, knowledge of and positive attitudes towards safety via technical subjects, ethics and social science;

- (d) Safety of children on their way to school and back has similar principles and characteristics in many countries. Therefore it is a particularly suitable subject to demonstrate international cooperation and friendship as a subject to be taught in schools.

....

Remark, Ad 2.1.3 (a) (ii)

Correct behaviour is not even guaranteed in the case of experienced adults (proven by the thousands of crashes every day), even if adults are aware of the dangers and know how to behave. How can we expect correct behaviour in the case of children? The objective “to ensure the correct behaviour” makes it even worse. Yet “correct behaviour” seems not to be suitable (in the sense that it can be achieved), therefore we propose the first moderation “approach” and the second, “specific”, having in mind that only well defined situations are suitable as subjects to teach.

No reference is made of the huge importance and relevance of good examples given by adults to their children and children generally – in this context it is of paramount importance and should be included whenever ‘education’ and ‘influencing of behaviour’ is being discussed.

Chapter 4

Safety of children in road traffic

Introductory sentence

This chapter takes into account the responsibility of adults to ensure children's safety; it faces the serious ethical problem of the killing and injuring of children by means of transportation and it is in agreement with the Convention on the Rights of the Child.

Comments

The Convention of the Rights of the Child clearly calls adults and their institutions to account for the well being of their children. This would obviously include protection of children from road traffic violence [...]. And obviously education of safe and preventive behaviour (of adults!) must start at an early age, but according to the Rights of the Child it must be made clear to both adults and the children concerned, that no responsibility is assigned to the latter.

The introductory sentence refers to the Rights of the Child in order to give an easy access to the interpretation of the paragraphs. This last aspect seems important, including in relation to judicial arguments in the aftermath of a crash, where judges and lawyers tend to assign responsibilities to children.

Ad 4.4.2 (c)

FEVR proposes to delete “**or** older pupils” in the first line and “composed of older pupils” in line 3.

Reasons:

Firstly, organized patrols carried out by children would fall into the category of work of children, which, in addition, would be work of a high degree of responsibility.

Secondly, even if the concept of patrols by pupils can be upheld as long as no crash happens, the mental consequences for the older pupils would be unreasonably harsh, if the younger ones were killed or injured. FEVR considers both scenarios as incompatible with the Convention on the Rights of the Child.

Remark

Only if the exclusion of judicial or psychological responsibility is guaranteed, do the measures of Chapter 4 (especially **4.2.2 (g)** and **4.2.1 (a)**) not require other modifications.

Annex 8

In 2.1.3, reference is made to annex 8 of R.E.1. This annex was checked by FEVR which has the following concerns, comment and proposals (Ref.: TRANS/SC.1/294/Rev.5)

General concerns

We have reason to assume, that recent developments in research (since 1995) require a rewriting of annex 8 as far as younger children are concerned. It seems to be evident, that guided traffic training comes into major conflict with the healthy development of self-confidence and self-assurance, qualities that are required in the context of safe behaviour in traffic. This contradiction seems to be inherent and should be resolved with respect to the Convention on the Rights of the Child. For the reasons please look at the references below.

Comment

Annex 8 could be divided into Part 1 (paragraphs 1-9) and Part 2 (paragraphs 10-14), where the latter deals with different age groups of children and appears particularly problematic.

Proposals

Ad part 2 (paragraphs 10-14)

FEVR proposes to remove at least paragraph 11 as a whole and replace it with a reference to the responsibility and the duty in respect of care of those who cause dangers. There are severe concerns about other paragraphs that cannot be tackled individually. For example: paragraph 12 refers to “understanding of importance” (12.4), “knowing of traffic rules” (12.1), and, furthermore, even to judgements (12.5). Firstly, “Understanding” of something is a process that evolves in several stages and does not necessarily lead to an end. If used in this context, the stages should be defined more precisely. Secondly, children are not equal. So who can say “Children should”? What about those who do not? (The FEVR proposal in this case would refer to the weakest). And thirdly, there is evidence, that understanding and knowing do not prevent adults from behaving dangerously, and it is adults that cause lethal crashes (and construct extra-dangerous cars, by the way). Paragraph 12 is also considered as highly problematic in its whole orientation. Without expertise, detailed proposals are not made.

Ad Part 1 (paragraphs 1-9)

Part 1 appears less sensitive, with the exception of paragraph 6, which would need to be changed in the following way:

6. Instruction shall begin with pre-school aged children. It is necessary to encourage parents to take personal responsibility for instructing [contribute to the instruction of] their children, starting before they start schools and continuing throughout their development, ~~ensuring that they are capable of independent travel before they allow them to travel unaccompanied.~~ Parents should be given the knowledge necessary for them to participate in their children’s road safety development.

Reasons:

The responsibility of parents seems to be problematic. Concerning instruction there is no evidence, that parents would do this well. And – certainly – there are parents that are not even able to do so. What about their children? Concerning the ensurance of the capability of independent travel, FEVR believes that an appropriate judgement is not possible and, furthermore, could not been verified – either on the part of the parents, or the children. (In Switzerland, as in many highly developed societies, many parents take their children personally

to school, by car, preventing them from acquiring the capability of independent travel and endangering the rest.)

Recommendation

The FEVR recommendation to the Working Party is to organize a hearing in order to rewrite Annex 8 as a whole with respect to the Rights of the Child and adjusted to recent research.

References:

Hüttenmoser, Marco (1995): Children and Their Living Surroundings. Empirical Investigations into the Significance of the Living Surroundings for the Everyday Life and the Development of Children, In: Children's environments, Vol. 12, Number 4, pp. 403-413.

Hüttenmoser, Marco (2004): Was Kinder bewegt. Eine Analyse aktueller Forschungsergebnisse, In: Gugerli-Dolder, Barbara; Hüttenmoser, Marco und Petra Lindenmann-Matthies: Was Kinder beweglich macht, Zürich.

Hüttenmoser Marco (2005): Was heisst kindergerechte Sicherheitspolitik?, In Verkehrszeichen 4/05, S.25-29.
