



**Economic and Social
Council**

Distr.
GENERAL

ECE/TRANS/SC.1/2007/4
9 August 2007

ENGLISH
Original: ENGLISH AND FRENCH

ECONOMIC COMMISSION FOR EUROPE

INLAND TRANSPORT COMMITTEE

Working Party on Road Transport

One-hundred-and-first session
Geneva, 16-18 October 2007
Item 7 (a) (i) of the provisional agenda

**HARMONIZATION OF REQUIREMENTS CONCERNING INTERNATIONAL ROAD
TRANSPORT AND FACILITATION OF ITS OPERATION**

Development of provisions on the facilitation of international road transport (R.E.4)

Note by the secretariat¹

The SC.1 delegates will find thereafter a memorandum on international regular services by bus and coaches adopted by the International Road Transport Union (IRU) on 26 November 2003. This item will be presented by the IRU at the 101st session of the Working Group in order to examine the possible concrete follow-up to be done in the Consolidated Resolution R.E.4.

¹ This document was submitted late due to delayed inputs from other sources.

**IRU MEMORANDUM
ON INTERNATIONAL REGULAR SERVICES BY BUS AND COACH**

I. FACILITATING INTERNATIONAL REGULAR SERVICES BY BUS AND COACH IN EUROPE

1. Questions are being raised about the fairness of controls on international regular services, in particular about the delegation of control tasks to the bus and coach drivers and operators, about the waiting time situation at borders, about continued unfair competition with other modes of transport and about regulatory barriers impeding better efficiency of international regular services.

2. Therefore, the IRU organised a seminar in Brussels on 23 April 2003 bringing together the industry stakeholders to debate these issues and come to an agreement on different initiatives which should lead to the facilitation of international regular services by bus and coach in Europe.

II. FACTS

3. Europe has a vast network of over 3000 international regular services linking the different regions to one another. They offer a highly flexible, reliable and safe service at an affordable price. And despite intensive efforts from the competition, international regular services by bus and coach remain the preferred means of transport for a very large number of travellers.

4. Whereas liberalisation of the passenger transport / travel market continues, today it remains still very difficult to obtain authorisations for international regular services and the administrative burden attached to an application is excessive in many countries.

5. Whereas enforcement of bilateral and multilateral agreements as well as of road transport related legislation should be carried out in such way as to minimise disturbances of the journey for the passenger, delays to international regular services caused by checks are still frequent.

6. Whereas international regular services are expected to run according to a fixed timetable and bring their passengers to their destination according to the timetable, international border crossings involve very long waiting due to a lack of priority treatment of these services.

7. Whereas physical and legal circumstances in which international bus and coach drivers and operators work make it impossible to check travel documents, multilateral agreements and control authorities continue to delegate control tasks to the latter and impose obligations to carry back passengers without valid papers.

8. Whereas the possibility to carry out cabotage in the framework of international regular services has been introduced in some markets, the administrative procedure applied makes it almost impossible to obtain the necessary authorisations.

9. Whereas the freedom to provide services and the level playing field between the different modes of transport has been improved, authorisations for international regular services by bus and coach can still be refused if comparable railway services are jeopardised.

III. THE IRU POSITION

10. The IRU works to ensure that artificial barriers to trade and tourism are pulled down to facilitate cross-border traffic by reducing unnecessary, repetitive, burdensome paperwork and taxation for passengers, goods and vehicles, as well as minimising onerous visa formalities for professional drivers.

11. Therefore, the IRU and its Member Associations call for action to resolve problems in the following domains.

A. Authorisations

12. Authorisations continue to be a key aspect for the organisation of an international regular service.

13. In order to be able to run these international regular services efficiently and successfully, harmonisation of the application and granting procedures is necessary. Currently, such harmonisation has only been achieved in the European Union.

14. The IRU and its Member Associations call on the European Conference of Ministers of Transport (ECMT) and on the European Commission to work towards:

- (a) The further facilitation, more transparency and fairness in the authorisation procedures established in bilateral agreements.
- (b) The harmonisation of the different aspects of the application and granting procedures between the countries of the European Union and third countries.
- (c) The reduction of periods to consult transit countries. The procedure should be transparent for the applicant operator and the operator should get the possibility to appeal against a decision.
- (d) Harmonisation of the duration of bilateral and transit authorisations; they should run parallel. This will avoid jeopardising the continuity of certain services in case one of the authorisations lapses.
- (e) The examination of the extent to which a multilateral agreement on international regular services by bus and coach could be established. This would provide the necessary guarantees for harmonised rules in a very large part of Europe.

B. Waiting times at borders and border controls

15. Excessive waiting times at borders continue to seriously hamper international movements of goods and people in Central and Eastern Europe. It is not unusual that lorries, buses and coaches have to wait for hours before they can proceed.

16. The IRU and its Member Associations call on ECMT to:

- (a) Place waiting times at borders as an absolute priority on its political agenda and propose solutions and measures to alleviate it.
- (b) International regular service coaches should be granted priority treatment at borders. It is essential to keep waiting times and delays to an absolute minimum in order to allow the services to keep to their timetables.

C. Enforcement and controls

17. When the Schengen Agreement was adopted, little or no account was taken of the specific circumstances of each of the travel modes leading to impractical rules for bus and coach operators that are impossible to abide to.

18. The Schengen Agreement holds bus and coach operators liable for controlling travel documents and carrying passengers who do not have the necessary documents back to their place of departure.

19. Controlling valid travel documents to enter or leave the Schengen Zone must be carried out at the borders of the Schengen Zone. All too often, enforcement agents stop coaches inside the Schengen Zone to check valid travel documents and penalise operators for passengers who do not have them. Similar checks are not carried out with other modes of transport.

20. The IRU and its Member Associations call on the EU Commission and the Council of Ministers to carry out a detailed review of the Schengen Agreement and propose the necessary amendments in order make it better applicable to the different transport modes. This revision should consider that:

- (a) The physical and legal circumstances in which international bus and coach drivers and operators work make it impossible to check a passenger's travel documents. bus and coach drivers do not have the required competence to carry out such checks.
- (b) Controlling travel documents remains the responsibility of the authorities. bus and coach operators should not be penalised for passengers who do not possess the necessary travel document upon entry into the schengen zone. control authorities should take charge of passengers without valid travel documents and should not place the burden upon bus and coach operators to take the passengers back to their original departure place.

Competition

The freedom to provide services should be respected and discrimination between transport modes should be ended.
