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Working Party on Road Traffic Safety

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Item 11 of the provisional agenda

Revision of the terms of reference and rules of procedure for WP.1

**Terms of reference and rules of procedure of the Working
Party on Road Traffic Safety (WP.1)**

Submitted by the Experts of Austria, France and Laser Europe

This document, submitted by the Governments of Austria and France as well as Laser Europe, refers to the proposal to amend the current rules of procedure of the Working Party on Road Traffic Safety (WP.1), as contained in ECE/TRANS/WP.1/100/Add.1/Rev.1.

During preparation of the proposal it was the feeling of the small informal group that some points should be brought to the special attention of WP.1 for more indepth discussion as to indicate the way the final proposal should be drafted. In particular, the opinion of WP.1 on the following would be welcomed:

1. ad chapter I rule 1:

This rule refers to the different status of members of WP.1; therefore the paragraphs follow the following system:

Paragraph (a) refers to ECE-members,

(b) refers to non-ECE-members being contracting parties to at least one of the Conventions and wanting to be full members of WP.1,

(c) refers to non-ECE-members being contracting parties but not asking for full membership of WP.1,

(d) refers to non-ECE-members not being contracting parties

(e) refers to NGOs.

1.1 paragraph c:

The two subparagraphs proposed in ECE/TRANS/WP.1/100/Add.1/Rev.1 are to be seen as alternatives hence WP.1 is asked to discuss and decide on the preferred wording.

The two subparagraphs are almost identical. As regards the English text, the formulation of the second paragraph is more direct and allows to authorize all countries which are Contracting Parties to participate without making the request to the secretariat, which in the French version of the document is the sense of both proposals.

1.2 paragraph d:

It is not entirely clear who is going to invite those countries. According to para 11 of the ECE-ToR it should be the ECE, but should not WP.1 at least be informed beforehand?

In practice there will be two ways of being invited: either the secretariat invites himself a country or a country wants to participate and the Secretariat then formally responds to the request by inviting it to participate.

1.3 paragraph e:

This question refers to the English text only. According to the French text these NGOs have to notify the secretariat that they want to participate, but the English text is also open to the interpretation that the secretariat notifies the WP.1 that some NGO will participate. It is the feeling of the small group that by amending the wording of the English text to "after notification **to** the secretariat" the English and French text could be brought in line.

ad chapter II rule 4:

The text of the newly inserted third subparagraph matches exactly the text of rule 52 of the ECE-ToR. However, it is the feeling of the small group that it should be repeated here to avoid any possible confusion that might be caused because the ECE-ToR might be simply overlooked at a later stage. However, since it is said that statements shall be circulated "to the members of the Commission" whereas this rule is made part of the ToR of WP.1, this could lead to misunderstandings and should – if the group agrees to include this new paragraph – be made clear. So, "Commission" should be replaced by "WP.1".

Furthermore, it should be discussed if it would be helpful to state clearly that any documents should be submitted to the *secretariat* (rather than the members) as to ensure that no documents appear on the agenda that have not been submitted to all participants.

ad chapter IV rule 9:

It should be discussed whether the term “accredited” is correct or could be misinterpreted as “only persons with a long-term badge”. The small group has the feeling that there should not be any problem when removing, if needed, "accredited", which in any case has no sense of long-term badge. Normally a representative should be, when she/he is participating for the first time, formally designated by the country or the organization she/he represents, but once appointed, it is no longer necessary to take this step and it is rule 11 that is then applicable. This rule is especially applicable to participate in the ECE and the Inland Transport Committee which are political bodies.

ad chapter V:

Rules 12 and 12ter are repetitions of paragraphs 7 and 10, respectively, of E/ECE/1468. Since E/ECE/1468 is only a guideline, inserting this text into the ToR of WP.1 means making them binding rules for WP.1. While there is nothing to prevent the Working Party from converting guidelines into binding rules, does the Working Party feel this should be clearly said so in the introduction?

ad chapter V rule 12bis:

Concerning the last sentence of the first paragraph (“However, priority will always be given ...”) it was felt that it should be made clear by discussion within WP.1 if this was meant to be a rule in the case of tied vote or it meant that no candidates of non-members are allowed as long as there is a candidate from a member. Either seems possible, but should be clearly stated and, since this a rather revolutionary rule, be thoroughly discussed.

6. ad chapter X rule 31:

Does the group feel it would be helpful if it was clearly stated how long the working period of the officers should be? This could be for the whole time the ad hoc group is established for, but could also be for two years (or any other period) if the ad hoc group is meant to have a longer working period.

In the view of the small group there should be no problem to be more specific and say that a President is elected for the term fixed for the ad hoc group and can be re-elected.
