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Group of Experts on the European Agreement Concerning the Work of Crews of Vehicles Engaged in International Road Transport (AETR)

Sixteenth session

Geneva, 16 October 2017

Report of the Group of Experts on the European Agreement Concerning the Work of Crews of Vehicles Engaged in International Road Transport on its sixteenth session

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I. Attendance

1. The AETR Group of Experts held its sixteenth session in Geneva on 16 October 2017, chaired by Mr. R. Symonenko (Ukraine).
2. Representatives of the following UNECE member States participated: Finland, Germany, Hungary, Netherlands Norway, Russian Federation, Slovakia, Sweden, Switzerland, Turkey and Ukraine.
3. The representatives of a non-ECE member State also participated: Lebanon.
4. The European Union (EU), Euro-Med, Continental Automotive and Stoneridge Electronics participated as observers.

II. Adoption of the Agenda (agenda item 1)

5. The Group of Experts adopted the session's agenda.

III. Programme of Work (agenda item 2)

A. Development of proposals for amending the AETR Agreement, including Article 22bis

6. The Group of Experts continued to discuss how to amend Article 22, Article 22bis, Article 10 as well as Article 14 (to make regional economic integration organizations eligible to accede) based on ECE/TRANS/SC.1/GE.21/2017/2 submitted by the Government of Slovakia and ECE/TRANS/SC.1/GE.21/2017/2/Rev.1 prepared by the secretariat (as per para.8, ECE/TRANS/SC.1/GE.21/37). As requested by the Group at the last session, the Government of Slovakia was present during the Group's discussion of ECE/TRANS/SC.1/GE.21/2017/2/Rev.1 (as per para.9, ECE/TRANS/SC.1/GE.21/37). The Group was unable to reach consensus on the proposed changes. For the next session, the secretariat will table ECE/TRANS/SC.1/GE.21/2017/2/Rev.2 containing the amendments discussed by the Group during this session and reflecting individual positions of Contracting Parties (where expressed).
7. At the last session, Contracting Parties were invited to provide written comments in relation to EU Regulations 165/2014 and 2016/799 (para.9, ECE/TRANS/SC.1/GE.21/37). The Russian Federation presented Informal document No. 1 (Russian Federation). The document listed concerns on the premature adoption of the smart tachograph; inclusion of references to European Union legislation 165/2014 and 2016/799; mandatory compatibility with Galileo and EGNOS; DSRC (availability of the appropriate frequencies in Russia); existence of a single body for interoperability certification; tachograph cards (layout and testing temperatures); and mandatory retrofit for vehicles involved in international transport.
8. The European Commission presented Informal document No. 2 (in English) in response to the comments of the Russian Federation contained in Informal document No. 1. To facilitate the discussion by the Group, the European Commission also made a presentation on its analysis of the issues raised by the Russian Federation.
9. After discussion about how to proceed, the Group invited a Contracting Party to table Annex 1C as a formal AETR amendment proposal to be considered at the February 2018 session of the Group of Experts. Once provided to the secretariat, the Group

requested the secretariat to submit that amendment proposal – despite its length likely exceeding the word limit imposed by the UNOG DMS section – for official processing.

10. The Group noted that the document containing Annex 1C already exists in the UNECE languages on the basis of the English, French and Russian translations provided earlier by the European Commission. This is in anticipation of translating revisions by Contracting Parties which will be requested of UNOG Documents Management Services by way of changes to the working document at future meetings. (These changes are expected to be done over a period of time and to meet the UNOG DMS criteria for translation of official documents).

11. The Russian Federation and secretariat sought clarification on the DSRC equipment including its bandwidths, interface and receivers, costs and the question as to whether DSRC would be mandatory for AETR Contracting Parties which are not European Union member States. Turkey raised privacy concerns with the data that would potentially be collected by the digital tachographs. With the working document mentioned in the paragraph above these issues will be discussed at the next session. To ensure progress at the next session, the Chair encouraged the Group and the European Commission to communicate their questions, analysis, information and responses to the secretariat (who will circulate any information which it receives to the Group) ahead of the next session.

B. Application of Regulation (EC) No. 561/2006 in the “AETR area”

12. The European Commission affirmed its position contained in article 23 of Regulation No. 561/2006 in the sense that the AETR Agreement shall apply to international road transport operations undertaken between EU and non-EU AETR Contracting Parties. It also provided an overview of proposed new social rules including rest periods and enforcement that are currently under consideration by EU member States.

13. Turkey sought clarification on whether the different penalties within the EU AETR Contracting Parties would be harmonized. While the European Commission was in favour of harmonization generally, it advised that enforcement and level of infringements were within the competence of national authorities.

14. The Group did not further discuss the application of Regulation No. 561/2006 nor attempt to harmonize the two regimes for driving times and rest periods.

IV. AETR Road Map (agenda item 3)

15. At the last session, the Group was briefed on the status quo regarding the translations of the AETR Road Map into French and Russian. The Russian Federation requested the secretariat revise paragraph 47 of ECE/TRANS/SC.1/GE.21/2017/3 to make it clear that AETR rules are not applicable domestically in the Russian Federation. To this end, the secretariat presented ECE/TRANS/SC.1/GE.21/2017/3/Rev.1 that contains the relevant revisions.

V. Other business (agenda item 4)

16. The Group of Experts were informed by the Government of Lebanon and the EU-funded EUROMED Transport Project about the interests of the Governments of Egypt and Lebanon in seeking to amend Article 14 with a view of making their countries eligible to accede to the AETR Agreement. The Group took note of this and agreed to forward the requests to SC.1.

17. In this regard, the Group proposed the following amendment to Article 14 of the AETR Agreement to allow Lebanon to accede to it, and requested the secretariat to forward it to SC.1 for consideration at its upcoming session.

“Article 14

18. This Agreement shall be open for signature until 31 March 1971 and thereafter for accession, by States members of the Economic Commission for Europe and States admitted to the Commission in a consultative capacity under paragraph 8 or 11 of the Commission's terms of reference. Accessions under paragraph 11 of the Commission's terms of reference shall be limited to the following States: Algeria, Jordan, **Lebanon**, Morocco and Tunisia .”

19. Subject to the above proposal being adopted by SC.1, the Group of Experts invited an AETR Contracting Party to formally propose this amendment at the earliest opportunity and requested the secretariat – upon the receipt of such communication - to submit it to the Secretary-General. The secretariat recalled that the Governments of Turkey and Ukraine were the proponents of a similar amendment proposal to make Algeria, Jordan, Morocco and Tunisia eligible to accede to the AETR Agreement two years ago.

20. Continental Automotive provided information on the digital tachograph products branded “VDO DTCO TR” which it used to sell in Turkey. In particular, the company sold a limited number of digital tachographs (type approved as DTCO 1381) as “VDO DTCO TR”. The company has stopped this practice. Turkey reiterated its invitation to Continental Automotive to make a presentation at the next session concerning the differences between the digital tachographs branded “VDO DTCO TR” and “DTCO 1381”.

21. In the report of the last session (para. 17, ECE/TRANS/SC.1/GE.21/37), the Chair had invited Turkey to reassess the text adopted for the type approval certificates which it is issuing. Turkey stated that it did reassess the text, and found it accurate.

22. Two Turkish digital tachograph manufacturers provided information on the tachographs which they manufacture. PARS ARGE provided information on their adoption of technological advances such as bluetooth, while Aselsan provided an overview of their company, the pending international patents on its digital tachographs and the awards which their products have received.

23. There were no other issues raised under this agenda item.

V. Date and place of next meeting (agenda item 5)

24. The next meeting is scheduled for 19 February 2018 in Palais des Nations in Geneva.

VI. Adoption of the Report (agenda item 6)

25. The Group of Experts adopted the report of this session.
