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Convention on Road Traffic (1968)-Automated driving:

Policy Statements in relation to the 1949 and

1968 Conventions on Road Traffic

Position statement on automated vehicles

Submitted by the United Kingdom of Great Britain and Northern Ireland

The position statement sets out current United Kingdom policy with respect to automated vehicles and the Conventions on Road Traffic. It also sets out five core outcomes that are considered vital for WP.1 to deliver in order to secure a successful amendment to the 1968 Convention on Road Traffic for the use of automated vehicles. It is believed that a short discussion on these five core outcomes would facilitate the wider discussion on amending the Convention on Road Traffic.

1. The text below is a statement of the current position of Her Majesty's Government of the United Kingdom of Great Britain and Northern Ireland with respect to the use of automated vehicles and the 1949 and 1968 Road Traffic Conventions. This represents United Kingdom policy as of the time of this statement's submission to the Global Forum for Road Traffic Safety, and Her Majesty's Government reserves the right to change this policy.

2. The automated driving system of an automated vehicle would be able to safely exercise dynamic control (including, but not limited to, steering, acceleration, braking, maintaining headway, negotiate junctions, and interacting with other road users, and so on) on behalf of the driver and thus operate the vehicle on the road. The safe deployment of this technology has the potential to radically improve road safety by reducing human error, enhance the efficiency of road networks and bring the benefits of personal mobility to those who cannot currently drive.

3. Like several other contracting parties to the Conventions, we consider that the testing and use of automated vehicles is not prohibited by either the 1949 Convention or the 1968 Convention. This applies to all automated vehicles, including those where a remote driver exercises control by deciding whether to use or activate the automated vehicle, commands it, schedules the trip/journey, and chooses waypoints and destinations. Therefore, we do not consider that an amendment to either Convention is needed to facilitate the deployment of automated vehicles but have not ruled out the development of new legally binding instruments, whether amendments or new treaties, where they would provide clarity and value.

4. In addition, we value the role of the 1949 and 1968 Conventions on Road Traffic in supporting international road traffic and promoting road safety. We are bound by both Conventions, as are a number of other countries and consider the two Conventions to be mutually equivalent and are concerned that an explicit allowance of automated vehicles within the 1968 Convention could be read (depending on how it is worded) as an implicit prohibition of them in the 1949 Convention. In this regard, we are particularly concerned about avoiding the creation of hard borders to automated travel between 1968 contracting parties and 1949 contracting parties, for example, between the United Kingdom and the Republic of Ireland, and between France and Spain.

5. We understand that our position of not needing an amendment is not universally held. Some contracting parties, notably a few of those to the 1968 Convention, feel strongly that the provisions of the convention are a barrier to deployment. The United Kingdom has no desire to block the ambitions of those contracting parties, especially where such a blockage would damage international markets. Therefore, we are happy to help develop an amendment, or even a new legally binding international instrument, for automated vehicles that would work for all the contracting parties to both Conventions.

6. We consider that there are some core high level outcomes that the Global Forum for Road Traffic Safety will need to deliver when developing an amendment that works for all. The amendment should:

(a) Be focused on situations where an automated driving system exercises dynamic control. It is important that the scope of the conventions is respected. Issues such as civil or criminal liability are not within scope and are a national competency, or the responsibility of other international treaties or bodies such as the Council of Europe or the European Union.

(b) Not create divergence between the 1949 and 1968 Convention and avoid creating barriers to travel and trade. It would not be acceptable to leave one Convention behind, though we recognise that work may not always happen in parallel, especially where different solutions are needed.

(c) Remove the blockages experienced by some contracting parties, while not creating new ones for others who do not have the same problem. An amendment that created new disadvantages for some contracting parties would be as untenable, especially as our shared goal at the Global Forum for Road Traffic Safety is to promote road safety and international road traffic.

(d) Not disrespect the outcomes sought by the Conventions, not only at a high level with respect to road safety and international road traffic, but also at the level of principles outlined in the two Conventions. That the recently adopted Resolution on the Deployment of Highly and Fully Automated Vehicles in Road Traffic clearly states that it respects the Conventions is one of its key features.

(e) Provide flexibility. Automated vehicle technology is at an early stage of development and much remains unknown about how automated vehicles will work. Early regulation not only has the potential to unlock new technologies, it can actively harm the development of those same technologies.

7. It is important to note that the UK does not advocate not acting to resolve the issues faced by some contracting parties. Rather, we advocate acting carefully and by building a consensus so that whatever solution is developed is mutually acceptable.

8. We wish to avoid discussions of semantics that will not help resolve the issues at hand. Indeed, it is important that we are all pragmatic, and avoid being dogmatic, to help reach a consensus position that will enable a level playing field for all.

9. We strongly believe that the best way forward on any amendment is to reach consensus through the Global Forum for Road Traffic Safety prior to it being submitted to the United Nations Secretary-General. Thus, in the spirit of collaboration and with the goal of reaching a consensus in mind, the UK will continue to work at the Global Forum to help develop a mutually agreeable solution to support the safe deployment of automated vehicles.
