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Inland Transport Committee

Working Party on the Transport of Perishable Foodstuffs

Seventy-sixth session

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Item 12 of the provisional agenda

Other business

Discussion on the feedback of Round table discussion October 2018

Transmitted by the Vice-Chair of WP.11

Introduction

1. The Inland transport Committee (ITC) of the UNECE noted that progress on the development of the ATP was low. Based on this a round table discussion was conducted at the 2018 session of WP.11 to discuss how the progress could be improved.
2. To facilitate the round table an informal working group was formed (IWG for the improvement of methods of work of WP.11) that identified a number of possible points for improvement. The document of this working group, ECE/TRANS/WP.11/2018/17 was discussed and the interim outcome can be seen in report ECE/TRANS/WP.11/239 in paragraph 2 to 22. Pending outcome of further discussion feedback needs to be given to the ITC. In the text below a summary is made of the discussion points for further discussion and decision.
3. One general recommendation of the informal working group was to learn from other Working Parties under the purview of the ITC. Below the functioning of mainly the WP.29 (vehicle safety) and WP.15 (carriage of dangerous goods).

Discussion

Frequency of meetings

4. One of the findings is that they have more frequent meetings. This increases the moments that there is discussion so that proposals can be further developed faster and accepted. This we have introduced with the approval of the ITC, the number of sessions has gone from 2 to 3 within a two year period. Unfortunately, the April 2020 session had to be cancelled by the Covid-19 outbreak.



Fixed period for acceptance of proposals

5. Another proposal was to collect all the amendments of a two-year period and send them as a complete set to the depository in New York for approval. The reason for that is the long approval period normally applied. In such amendments could be made on amendments of the previous year that were officially not yet in force. This we have achieved.

Fixed dates for entry into force of new proposals

6. In addition to this we could time the approval process in such a way that new amendments enter into force at a fixed moment, i.e. 1 January or 1 July. An uncertainty is if the extended period for acceptance of 9 months is used or not. However, in the last 15 years this always has been the case. This could be discussed.

Informal working groups

7. Other working parties work with informal working groups and task forces to resolve more detailed aspects. These informal working groups work under a mandate and terms of reference (i.e. what to discuss) given therein. Informal working groups report back to the Working Party with a report and if necessary, proposals. Task forces are even less formal often operating under an informal group for even more detailed issues.

8. In WP.11 many discussions have deep technical contents that would benefit from discussion in informal working groups. The advantage of this is that experts can more easily exchange views and ideas to find common solutions. Informal working groups ask effort and commitment of a limited number of experts working on the ATP. For test matters we can collaborate with the IIF/IIR D2 subcommittee CERTE.

9. There are several options on the timing for Informal Working Groups to meet. Due to the limited documents on general topics a working group meeting in parallel to the WP.11 seems to be less efficient. Other options of meeting of experts a day before the WP.11 session or in between WP.11 sessions seem to be most appropriate. Another option could be to interrupt the WP.11 session for a day to conduct a working group although there may be organizational issues.

Reference to standards and dedicated standards working group

10. In the Annexes of the Agreement on the transport of Dangerous Goods (WP.15) many references are made to standards. The contents of these standards cover in more detail particular sections of the regulation and it should be checked if the contents of the standards is not in conflict with the regulations. For this a special permanent working group is established to meet outside the WP.15 (AC.1) meetings. In the regulations of other working parties also reference is made to standards that define specific test procedures not defined in the regulation itself, in most cases these are checked by an informal working group of task force dealing with these specific topics of which the test in the standard is used.

11. For refrigerated transport several standards are available, and more are being developed. It should be discussed if including reference to these standards is helpful, if a special working group is then to be established to check these standards and how to have these standards available.

Use of documents

12. In particular in the "Group Rapporteurs", permanent working groups, of the WP.29 the procedure is to introduce a new topic for discussion as an INF document. These will be introduced and first input is given to develop the proposal further if necessary, maybe even the establishment of an informal working group. In most cases this proposal returns for the next session as an improved official document that has more chance to be adopted.

13. The use of informal documents should be promoted as a means to present problems and ideas but also to reflect comments and additions to official documents. The last has the advantage that it can be taken into account before the meeting and may increase the chance of adoption of proposals during the session itself.

Other topics

14. In addition to the topics above that can be improved by comparing the functioning of other working parties the following may be noticed:

Unanimity rule and conduct of the meeting

15. Many discussions have been held on the voting process of the ATP agreement, its annexes and in the WP.11 itself and in particular the unanimity rule. Based on discussions on the document by the working group it was concluded that changing this rule would be troublesome. However, that there were several ways of improving the efficiency of WP.11. One of these ways is how the meeting is conducted. In the recent past on every proposal there was an official vote. This process of voting on the proposals and alternatives proved to be time consuming. It was then decided not to vote if it was obvious that a proposal could not be accepted. However, this has the downside that the contracting party forwarding the proposal would not have the information who to ask for input to improve the proposal.

16. It is suggested only to vote on proposals that have a possibility to be accepted. If wished the contracting party that has forwarded the proposal may exercise their right for a vote or require for the motivation for negative votes or abstentions. Officially this last can only be on a voluntary basis.

Intersessional discussion

17. It was also suggested that more discussion should be conducted by contracting parties between meetings sessions on proposals to be forwarded, to increase the chance of acceptance. This is an option but officially these contacts go through official governmental channels which may slow down discussion. An option to solve this is to organize a more permanent informal working group where topics can be discussed between experts of contracting parties and come to common views.

18. Another recent development is the possibility of placing documents in digital working space by the UNECE. In an advanced moment, just after 12 weeks before the meeting official documents, not yet translated, can be seen and comments be cast on it to stimulate improvements of the documents or creation of early INF documents with remarks on these official documents.

The use of official documents

19. The format for official documents is given in the appendix to the rules of procedure for the WP.11 (ECE/TRANS/WP.11/229). This format requests a box with a summary of the problem to be solved, action to be taken and numbers of the previous relevant documents/paragraphs of reports, and at the end a justification with 4 very important items to be filled in. Official documents are not always in this format.
