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Fiftieth session

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Item 4 of the provisional agenda

**FIFTIETH SESSION OF THE WORKING PARTY:
LOOKING BACK AND PEERING FORWARD**

Note by the secretariat

I. INTRODUCTION

1. The present session is the fiftieth session of the Working Party that, in its present setting, has been established in 1979 as the Group of Experts on Combined Transport. On this occasion, the secretariat has prepared the present document tracing briefly the history of the UNECE Working Party and its predecessors and highlighting some of its achievements and future activities.

II. HISTORY OF THE WORKING PARTY

A. The Working Party and its precursors

2. Already in 1951, the Inland Transport Committee (ITC) by means of Resolution No. 93 of 7 July 1951 set up a Working Party on Containers “to determine and study the various problems requiring governmental action in this field and to draft a general agreement on

customs requirements for international transport of goods by containers.” (E/ECE/TRANS/286, Resolution No. 93).

3. In 1954, the title of the Working Party was changed to “Working Party on Combined Transport Equipment” (E/ECE/TRANS/473, para. 33) and again, in 1964, the ITC renamed the Working Party as “Working Party on Combined Transport” (E/ECE/TRANS/535, para. 70).

4. In 1965, the Working Party established a “Group of Rapporteurs on Intercontinental Transport by Container” (TRANS/302 – TRANS/WP24/36) whose title was modified in 1968 by the ITC to “Group of Rapporteurs on Container Transport” (E/ECE/TRANS/554, paras. 123 and 124). In 1979, the ITC decided that this Group of Rapporteurs became the “Group of Experts on Combined Transport” (ECE/TRANS/37, para. 158).

5. The first session of this Group of Experts on Combined Transport was held on 10-13 September 1979 at the Palais des Nations in Geneva under the chairmanship of Mr. M. Beazley (United Kingdom. This first meeting was attended by the following countries: Belgium; Canada; Czechoslovakia; Finland; France; Germany, Federal Republic of; Italy; Netherlands; Spain; Switzerland; Union of Soviet Socialist Republics; United Kingdom, United States of America and Yugoslavia. In addition to the United Nations Conference on Trade and Development (UNCTAD, the International Labour Organization (ILO) and the (then) Intergovernmental Maritime Consultative Organization (IMCO) (now IMO), the European Economic Community (EEC) participated together with the International Road Transport Union (IRU), the International Union of Railways (UIC), the International Chamber of Shipping (ICS), the International Container Bureau (ICB) and the International Organization for Standardization (ISO). The International Union of Combined Road-Rail Transport Companies (UIRR) participated regularly only as of 1989. In 1988, the Group of Experts, together with other subsidiary bodies of the ITC, was again renamed to become the Working Party on Combined Transport

6. The Working Party held annual sessions until 1989 when it decided to hold an additional special session to speed up the preparation of the AGTC Agreement. In 1992, the Working Party held three regular meetings as a result of the second Global Seminar on the Impact of Increasing Dimensions of Loading Units on Combined Transport (1-4 September 1992). Thereafter the Working Party held, until today two regular annual sessions without increasing its annual allotment of four meeting days.

7. In October 2003, the Working Party was renamed “Working Party on Intermodal Transport and Logistics and became in 2004 part of the Joint ECMT/UNECE Working Party/Group on Intermodal Transport and Logistics, meeting once a year in Geneva and once in Paris at the headquarters of ECMT. Following termination of the ECMT Working Group in 2006, the Working Party was renamed again, in 2007, as Working Party on Intermodal Transport and Logistics.

8. Since 1979, the Group of Experts or Working Party has been chaired by the following persons:

- 1979-1981 Mr. M. Beazley (United Kingdom)
- 1982-1987 Mr. W. van Zijst (Netherlands)
- 1988-1994 Mr. E. Volk (Germany)

- 1995-2000 Mr. H. Maillard (Belgium)
- 2001-2002 Ms. M. Masclee (Netherlands)
- 2003-present Mr. M. Viardot (France)

B. Main achievements

9. Since 1951, the Working Party and its predecessors provide a forum at the pan-European level for the exchange of technical, legal and policy information and best practices in combined and intermodal transport, for the preparation of policy advice and for the negotiation and administration of multilateral legal instruments. The overall objective of this work is to promote combined and intermodal transport in the 56 UNECE member countries and to ensure “the maximum utilization of equipment, infrastructure and terminals used for such transport” (programme of work 2008-2012).

10. In the past the Working Party and its predecessors have always accorded particular importance to the exchange of information, statistics, best practices and research among Ministries of Transport, inter-governmental organizations and the private sector. Between the early 1950s and until the end of 1970 main emphasis was accorded to technical, administrative and safety questions for piggyback and container transport in Western Europe and in North-America (for examples, see Informal document WP.24 No. 3 (2008)).

11. In the 1980s, work focused on technical and policy measures to promote combined transport services in Europe, including standardization of equipment, particularly container dimensions, combined transport statistics and facilitation of documentation required for the use of several modes of transport.

12. As of the 1990s, following the political changes in Europe after the fall of the iron curtain, the Working Party considered in particular newly emerging technologies, such as bimodal transport techniques, the safe loading and securing of cargo in intermodal loading units, particularly containers and, more importantly, the development of international combined and intermodal transport services on the basis of a pan-European network of railway lines and inland waterways that complied with commonly accepted infrastructure and operational performance standards.

13. Finally as of 2000, the Working Party focused its work on ways and means to improve rail performance with a view to arriving at competitive international intermodal transport services, on the facilitation of border crossing procedures, the establishment of a common civil liability regime for intermodal transport and the integration of modern logistical concepts into intermodal transport policy.

14. Generally, the Working Party played a particularly important role in ensuring that UNECE member countries, particularly Ministries of Transport, became aware of current and future trends and developments in combined and intermodal transport in Europe and North-America. It brought together eminent experts from UNECE member Governments and industries and its structure and working procedure was always able to address promptly any newly emerging issue or trends. This had been of particular importance during the cold war period when the Working Party provided a technical forum for and link between experts from North America, Eastern and Western Europe. At that time, the Working Party also provided advice to

a number of global United Nations bodies, such as UNCTAD on maritime and multimodal transport (Convention on International Multimodal Transport of 1980) and IMO on container safety (International Convention for Safe Containers (CSC) of 1977).

15. Specifically, during the past 50 sessions the Working Party has accomplished a number of concrete results assisting in the promotion of combined and intermodal transport in line with transport policies of UNECE member countries:

1. Creation of Pan-European networks and standards for combined transport

16. In 1987, the Working Party decided to identify a network of important international combined transport lines that would comply with commonly accepted uniform standards in line with prevailing best practices with the objective to improve quality standards for international combined transport services and to address the existing divergent “market conditions”. This work led to the adoption, in February 1991, of the European Agreement on Important International Combined Transport Lines and Related Installations (AGTC) that entered into force in October 1993 and has currently 32 Contracting States. The Working Party constantly monitored application of the AGTC standards and parameters in UNECE member States, initially through the so-called Yellow Book series and, as of 2006, through an on-line web-tool maintained by the UNECE secretariat.

17. In 1992, the Working Party, recognizing the growing importance of European inland waterways and coastal routes for intermodal and container transport, finalized a report on minimum technical requirements for such transport services. This led to the preparation of a Protocol on combined transport on inland waterways to the AGTC that was adopted in January 1997 and opened for signature at the Ministerial Transport and Environment Conference in Vienna later that year.

2. Efficient intermodal loading units

18. In 1989, the Working Party prepared and guided the first Global Seminar on the Impact of Increasing Dimensions of Loading Units in Combined Transport (Geneva, November 1989). This Seminar provided an opportunity for Governments and the industry to review the consequences of a possible introduction of larger than present ISO container standards for inland transport. Following a second global seminar on this topic in September 1992, the Working Party prepared ITC Resolution No. 241, adopted in February 1993 that concluded that no consensus on globally acceptable dimensional standards for containers also be applicable for inland transport could be achieved between Governments and the maritime container industry. As a result ISO did not proceed with the standardization of a new series of containers (ISO Series 2). In March 2005, the Working Party adopted an opinion on the standardization of 45 ft ISO containers stressing their legal incompatibility with present road transport regulations and safety standards in most UNECE member countries.

3. Promotion of interregional Euro-Asian land transport links

19. In close cooperation with the (then) ECMT, the Working Party analyzed since 1995 the development and stressed the potential of Euro-Asian land transport links, including efficient rail and road access to and from Central Asia and the Caucasus countries via South-Eastern Europe. This led, in 2004, to the organization of a seminar on intermodal transport links in Kiev, whose

conclusions were subsequently endorsed by the ECMT Council of Ministers (Moscow, 2005) and enshrined in a Ministerial action plan that identified border crossing problems in road and rail transport as one of the key issues to be resolved.

20. In 2005, the Working Party agreed on a number of elements that should constitute the cornerstones of international activities to make rail and intermodal transport services in a pan-European and Europe-Asia context more efficient. They included (a) the negotiation of a unified railway law system replacing the present separation between the COTIF and SMGS regimes, (b) establishment of a pan-European rail Customs transit regime and (c) development of a new Annex to the UNECE “Harmonization Convention” on efficient rail border crossing procedures.

21. In 2006, an intermodal transport observatory was established by the Working Party in the Ukraine that would act as an information center for intermodal transport services along two important Euro-Asian transport corridors transiting the Ukraine.

4. Safety in intermodal transport operations

22. In 1996, the Working Party developed, together with ILO and IMO, comprehensive guidelines for the safe stowage and securing of cargo in intermodal loading units.

5. Development of liability provisions for intermodal transport

23. Since the late 1990s, the Working Party considers possibilities for the reconciliation and harmonization of civil liability regimes governing intermodal transport operations at the pan-European level. In 1999 and 2000, it prepared an overview of civil liability regimes covering international transport of goods applicable to European transport and organized two hearings with interested industry groups. The Working Party then set up an expert group that, in 2002, drafted an outline of a possible international legal instrument on the liability of operators in multimodal transport for European road, rail and inland water transport, including short-sea shipping and ferry services. In view of the current work of UNCITRAL and the European Commission (logistics action plan), the Working Party decided in 2007 to halt work in this field and to await the results of these other initiatives.

6. Combined transport terms

24. In 2000, the Working Party approved and published a glossary of terms in combined transport which had been prepared by an Intersecretariat working group (European Commission, RECMT and UNECE).

7. Service quality of railways in intermodal transport

25. Following the analysis of the role and service quality to railways as of 1999, the Working Party prepared model action plans and partnership agreements with the aim to facilitating cooperative arrangements among public and private actors involved in international intermodal transport services. These “models”, finalized in 2005 and adopted by the ECMT Council of Ministers in 2006, included good practices, checklists and benchmarks to measure performance in intermodal transport operations.

8. Intermodal transport as part of modern transport chains and logistics

26. Based on a secretariat study, the Working Party had considered, already in 1992, trends in logistical requirements affecting intermodal transport operations and recognized that Governmental transport policy options were increasingly determined by “logistical production and transport (distribution) chains”. The ECMT Expert Group on Combined Transport followed-up on these considerations until its termination. In 2006 the Working Party was again mandated to pursue work in this field and, following extensive considerations of logistical concepts, their developments and impact on modern transport chains and intermodal transport in 2007 and early 2008, the Working Party is expected to decide in 2008/2009 on concrete policy actions at the international level.

III. THE YEARS AHEAD

27. In February 2008, the ITC adopted a new programme of work for the years 2008 to 2012 that provided the Working Party with a general mandate to continue to consider, as appropriate, legal, administrative, documentary, technical economic and environmental aspects of intermodal transport with a view to the development of measures to promote intermodal transport operations.

28. Concretely, the Working Party is expected to monitor and analyze national measures for the promotion of intermodal transport and analyze ways to implement a harmonized set of best practices and partnership models for intermodal transport operations at the pan-European level. This work had already been started in 2007 and a first analysis of country replies to a secretariat questionnaire as well as guidelines for future action should be completed in 2009.

29. The Working Party has also been asked to extend the scope of the AGTC Agreement to Central Asia, Caucasus countries and beyond in order to facilitate seamless intermodal, mainly container transport by rail between Europe and Asia. A first package of amendment proposals to the AGTC has already been approved by the Working Party in March 2008 and further steps are in the pipeline. This may include a review of the AGTC infrastructure and service standards with a view to improving safety, energy and environmental standards as well as interoperability between railway undertakings and infrastructure operators in UNECE member countries and beyond (such as China). Furthermore, on the basis of the inland waterways protocol to the AGTC that may come into force in 2008/2009, the Working Party could contribute to an enhanced use of the extensive European inland waterway and coastal shipping network for intermodal transport.

30. Another field of action to be pursued by the Working Party is the analysis of the underlying causes and requirements of logistics determining transport demand, transport quality and land use. UNECE Governments need to better understand the requirements of such modern supply and logistics chains. National transport policies must take account of and respond to these often global challenges and, in order to have an impact, must be coordinated and harmonized at the international level. The Working Party might be able to play a supportive role in this area through an exchange of information and best practices among countries in the UNECE region, by assisting in the development of concepts and indicators to measure these logistical developments and by providing expertise in regulatory or capacity building policies and measures that require an inter-governmental, pan-European approach.

31. On the basis of the present document, the Working Party may wish to review its work during its past 50 sessions and may wish to have a brief exchange of views among delegations about its future role and activities. This could possibly provide first ideas and elements for a substantive review of its programme of work to be undertaken in 2009.
