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**Economic Commission for Europe****Inland Transport Committee****Working Party on Intermodal Transport and Logistics****Special session of the WP.24 on the CTU Code**

Geneva, 5–7 December 2023

**Report of the Working Party on Intermodal Transport and Logistics at  
its Special session on the CTU Code****Contents**

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## **I. Attendance**

1. The Working Party on Intermodal Transport and Logistics (WP.24) held its special session on the Code of Practice for Packing of Cargo Transport Units from 5 to 7 December 2023 in Geneva. The meeting was co-chaired by Ms. Julia Elsinger (Austria) and Ms. Pavlina Tomkova (Czechia). It was held as an in-person meeting at the Palais des Nations in Geneva with English-French-Russian interpretation. It was also open to online participation, as adds-on, via Zoom platform, further to the request of the Chair, for enabling broader consultations on agenda item 2.
2. The special session was attended by the following Economic Commission for Europe (ECE) member States: Austria, Czechia, Finland, Germany, Hungary, Italy, Poland, Romania, Russian Federation and Türkiye.
3. The following United Nations specialized agencies were present: International Plant Protection Convention (IPPC) at Food and Agriculture Organization, International Labour Organization (ILO) and International Maritime Organization (IMO).
4. The following non-governmental organizations were represented: Global Shipper Forum, International Federation of Freight Forwarders Associations, ICHCA International, International Road Transport Union, National Cargo Bureau and RPMASA.
5. Representatives of the following private sector and academia attended the session: ETS Consulting, MariTerm AB and TT Club Mutual Insurance Ltd.

## **II. Adoption of the Agenda (agenda item 1)**

6. WP.24 adopted the provisional agenda as contained in ECE/TRANS/WP.24/154.

### **Documentation**

ECE/TRANS/WP.24/154

## **III. Consultations on progress and updates on the informal pre-work requested by the Working Party on Intermodal Transport and Logistics on the Code of Practice for Packing of Cargo Transport Units (agenda item 2)**

7. WP.24 at its special session considered the text modification proposals to the Code of Practice for Packing of Cargo Transport Units, as contained in ECE/TRANS/WP.24/2023/13, Annex I, and which were worked out in the informal pre-work of experts as mandated by WP.24, and agreed as follows:

(a) Concerning the modifications to chapter 2 on definitions (section A.1 in ECE/TRANS/WP.24/2023/13):

- To accept these modifications with the following remarks:
  - BK2: delete the hyphen between the words “the” and “floor”.
  - Flexitank: add the words “or valves” after the word “valve”.

(b) Concerning the modifications on the use of terms such as label, mark and sign in chapters 3, 4, 8, 11, 12, as well as annex 4, annex 5, annex 7 appendix 1 and annex 10. (section A.2 of ECE/TRANS/WP.24/2023/13):

- To accept these modifications with the following remarks:
  - Clause 2.1.1 of annex 7, appendix 1 on Packing and securing cargo into CTUs: replace the word “decal” with “label or mark”.
  - Clause 4.1.1.1 of annex 5 on Receiving CTUs: change the sequence from placards, marks or labels to labels, marks or placards.

(c) Concerning the modifications to chapter 4 on Chains of responsibilities and information (section B.1 of ECE/TRANS/WP.24/2023/13):

- To accept these modifications with the following additional changes:
  - Clause 4.1.3: add a footnote at the end of the clause referencing MSC.1/Circ.1531 on Due diligence checklist in identifying providers of CTU-related services.
  - Clause 4.1.6: insert a second example as a second to last sentence to read as follows: The shipper, for example, may among others, perform the functions of the packer or consolidator.
  - Clause 4.2.1: move the square brackets to the fourth bullet point only.
  - Clause 4.2.3: in the bullet point starting with “providing the container/vehicle packing certificate”, add after the brackets “including any dangerous goods hazard class as appropriate”.
  - Clause 4.2.5: change the second bullet point to read as follows “A CTU that is specified as suitable for the intended cargo and for the intended transport, and compliant with the responsibilities of the CTU operator (see 4.2.1)”; and delete the third bullet point that reads “A CTU is requested which is safe...”.
  - Clause 4.2.7: put as a second bullet point “Ensure that the driver” and insert the former second and third bullet points as first and second sub-bullet points of bullet point 2; add as the third sub-bullet point the following text “complies with the applicable regulations for driving times and rest periods” and support it by the following footnote referencing the ILO Guidelines on the promotion of decent work on road safety in the transport sector, and continue with the sub-bullets as they were proposed.
  - Clause 4.2.8: add as the third bullet point the following text: “[Visually examining the exterior of the CTU to confirm that it is safe to move and that it is pest-free;]”.
  - Clause 4.2.13: add at the end of the first bullet point a footnote referencing MSC.1/Circ.1649 on Guidelines for the implementation of the inspection programmes for cargo transport units.

(d) Concerning changes to chapter 12 and annexes 1 and 5 as arising from changes to Chapter 4 (section B.2 of ECE/TRANS/WP.24/2023/13):

- To accept these modifications with the following changes:
  - Clause 7.1 of annex 1 on Information flow: change it for the text to read: “Figure 1.2 shows a typical example of a sales contract. Under this type of contract, the shipper is responsible for all aspects of transport up until the CTU is unloaded at the port of import”; and add a footnote after sales of contract referencing INCOTERM published by the International Chamber of Commerce.
  - Figure 1.1 of annex 1: remove the term “Sender” and correct the spelling for “Crema (Italy)”.

(e) Concerning the modifications related to blocking material and arrangements in preamble, chapters 6, 7, annexes 2 and 4 and annex 7, clauses 2 and 4 (sections C.1 and C.2 of ECE/TRANS/WP.24/2023/13):

- To accept these modifications with the following changes:
  - Clause 2.3.3 of annex 7, section 2: add in the first sentence after “used for blocking” the following text “, also referred to as bracing or shoring”.
  - Point 2 of clause 2.3.6.1 of annex 7, section 2: correct part of the first sentence to read “... as the nail was driven in ...”.

- Box with formula under clause 4.3.3 of annex 7, section 4: correct “(tonnes)” to “[tonnes]”.
- (f) Concerning the modifications related to cargo securing with dunnage bags in appendix 4, section 4 of annex 7 (section C.3 of ECE/TRANS/WP.24/2023/13):
- To accept these modifications.
- (g) Concerning the modifications related to bedding arrangements in clauses 3.1. and 3.2 of annex 7 and appendix 4, section 2 of annex 7 (sections D.1 and D.2 of ECE/TRANS/WP.24/2023/13):
- To accept these modifications.
- (h) Concerning the modifications related to load positioning in clause 3.3 of annex 7 (section E of ECE/TRANS/WP.24/2023/13):
- To accept these modifications.
- (i) Concerning the modifications related to transport stability level to be included as new clause 4.2 of annex 7 and in appendix 5 of annex 7 (sections F.1 and F.2 of ECE/TRANS/WP.24/2023/13):
- To accept these modifications with the remark that images in figures 7.102 and 7.103 of appendix 5, of annex 7, section 6 should be displayed in their entirety.
- (j) Concerning the modifications related to liquids in flexitanks in clause 5.2 of annex 7 (section G of ECE/TRANS/WP.24/2023/13):
- To accept these modifications with the remark to edit clause 5.2.7.4 by removing “the” in the third line and clause 5.2.10, second paragraph, by replacing the term “ullage” with “residue”. This was done following the discussion on how modifications have been developed given the information that for the purpose of these modifications, the publications issued by the Container Owners Association (COA), ICHCA International and the TT Club on how to make the transport of bulk liquids safer and with less waste were considered. In the discussion, experts clarified that these publications were considered to elaborate most pertinent clauses for the CTU Code. The initial draft of modifications was considered during the meetings of the informal pre-work in both 2022 and 2023 and the draft was further altered by experts based on their comments. This process is reflected in the minutes of the informal-prework meetings and can be consulted in ECE/TRANS/WP.24/2022/9 and ECE/TRANS/WP.24/2023/9.
- (k) Concerning the modifications related to solid bulk cargo in clause 5.3 of annex 7 (section G of ECE/TRANS/WP.24/2023/13):
- To accept these modifications with the remark to edit clause 5.3.3.3 to read in the fifth line “so as to retain”.
- (l) Concerning the editorial corrections on unit of measurements in chapters 5, 6 and 7 (section I of ECE/TRANS/WP.24/2023/13):
- To accept these corrections.
- (m) Concerning the changes related to acceleration coefficient in chapter 5 (section J of ECE/TRANS/WP.24/2023/13):
- To accept these changes.
- (n) Concerning the modifications related to prohibited cargoes in chapters 1 and 13 and annex 10 (sections K.1, K.2, and K.3 of ECE/TRANS/WP.24/2023/13):
- To accept these modifications with the following remarks:
    - New Clause 1.3 on Prohibited cargoes in chapter 1: add to the first bullet point of paragraph 3 a footnote referencing FAL.5/Circ.50 on guidelines for the prevention and suppression of the smuggling of wildlife on ships engaged in international maritime traffic.

- Clause 13.3.1 of chapter 10, change the end of the first sentence to read: “.... Code according to their respective level of responsibilities.”.
- Row 16 in the table of annex 10: change the first bullet point to read: “Prevention of transport of prohibited cargoes including human trafficking, illegal wildlife trafficking, and illegal drugs”; and the second bullet to read: “Common methods used to conceal movement of prohibited cargoes”.

8. WP.24 discussed then with the involvement of the ILO and IMO secretariats the best ways to inform the respective memberships of ILO and IMO about the proposed changes to the CTU Code worked out in the process mandated by WP.24 and on how to engage the organizations in the process leading to the adoption in the near future of a revised CTU Code.

9. In this discussion, the IMO secretariat explained that an official submission by WP.24 would be required to the Maritime Safety Committee (MSC) with the changes proposed, justification for the changes made and a request for approval in view of a future adoption. IMO secretariat informed WP.24 that next MSC meetings were scheduled to take place in May and December 2024 and highlighted the relevant document deadlines. Without pre-empting the MSC decision, IMO secretariat stressed that the MSC could agree with the modifications in principle, but final acceptance required approval by the governing bodies of all three entities, including a similar decision by ILO.

10. The ILO secretariat explained that in accordance with ILO work practices, but without pre-empting any ILO Governing Body decisions, consideration of proposed CTU Code modifications would require either (a) a joint ECE-ILO-IMO meeting or (b) a tripartite delegation participates to meetings of an expert group at which the modifications are considered and recommended for approval. Moreover, ILO secretariat informed WP.24 that any of the two ways forward would first require the review by the ILO Sectoral Advisory Bodies (SAB), and consideration by the ILO Governing Body. The SAB should meet at their next session in January 2025.

11. In the discussion, it was noted that more frequent modifications to the CTU Code may be required in the future given the increasing demand for intermodal transport and the increasing automation in the sector including for packing purposes. It was also noted that ILO does not revise their tools and codes of practice as often. In this context, it was suggested that solutions be sought for enabling more frequent amendments.

12. In response to this, ILO pointed out that some of the content of the CTU Code, for example, as provided in annexes 6 or 7 and in the appendices to annex 7 is of a highly technical nature and that its revision and modifications do not reconcile with the working methods of ILO which are different to those of IMO or ECE.

13. Given these inputs, a proposal was put forward to consider restructuring the CTU Code into a “Core” CTU Code and a “Supplement” CTU Code, where (a) the former would contain the principles as contained predominantly in chapter 3 to 13 of the 2014 CTU Code version and would be subject to only very sporadic revisiting, while (b) the Supplement would provide the more technical information, predominantly contained in the existing annexes and appendices, and would be subject to review as frequently as needed and be managed jointly by IMO and ECE in accordance with their working methods.

14. It was further recommended in the discussion that WP.24 would take the lead and make a proposal on how to restructure the CTU Code into the Core and Supplement and that a WP.24 special session should be convened in 2024 to discuss and finalise the proposal for consideration and subsequent adoption by the memberships of ECE, ILO and IMO. The work of restructuring the CTU Code should then take into account the elaborated modifications to the CTU Code as reflected in ECE/TRANS/WP.24/2023/13 as amended and agreed at the current special session.

15. The proposal to consider restructuring the CTU Code and the recommendation for WP.24 to take the lead in this process were deemed to be a constructive way forward. At the same time, a successful outcome of this process would require a commitment from IMO and ILO secretariats to engage in it, including an organisation of a joint ECE-ILO-IMO meeting or a participation of the ILO tripartite delegation to the group of experts, at which a restructured and revised CTU Code Core could be adopted and IMO and ECE could be

mandated to jointly manage a process of modifications to the CTU Code Supplement with technical information when pertinent.

16. The ILO and IMO secretariats requested time for internal consultation on the proposed way forward. To this end, it was agreed that the commitment should be expressed at the latest by the eighty-sixth session of the Inland Transport Committee (ITC) scheduled for 20-23 February 2024, which should allow ITC, as a parent body of WP.24, and further to its consideration of this proposal, to mandate WP.24 to lead with the involvement of the ILO and IMO the process of amending including possible restructuring of the CTU Code and to hold the WP.24 special session in 2024, as well as to subsequently request a joint ECE-ILO-IMO meeting or the participation of IMO and a tripartite delegation of ILO to a group of experts.

17. WP.24 expressed its hope that the way forward be implemented as discussed and that the necessary commitments to this way forward be expressed.

18. WP.24 discussed then the two other issues which were indicated as priority for updating in the CTU Code during an informal prework but were not finalized in time for this special session. They concerned (a) a section on stabilizers for inclusion in chapter 10 of the CTU Code and (b) inputs to the various chapters such as 1, 4 and 8 as well as annex 6, and possibly a new chapter 10bis concerning the issue of prevention of pest contamination.

19. With regard to the section on the stabilizers, it was noted that the discussion at IMO on this issue was suspended, thus no recommendation can be made as to whether a section on stabilizers should be included in the CTU Code. Given this information, WP.24 agreed to return to this issue only if a recommendation would stem from an IMO process in favour of inclusion of stabilizers in the CTU Code.

20. Concerning the issue of prevention of pest contamination, the IPPC secretariat explained the process carried out by the Commission on Phytosanitary Measures (CPM) Focus Group on Sea Containers on the issue of prevention of pest contamination and the preparation of the draft revised CPM Recommendation 6 on Sea Containers. The IPPC secretariat further informed that the revised Recommendation 6 would be submitted to the CPM eighteenth session (CPM-18) to take place in April 2024 for consideration and approval. The IPPC secretariat expressed its desire that the adopted revised CPM Recommendation 6 on Sea Containers would serve as a basis for updates on the prevention of pest contamination in the CTU Code and that the initial modification proposals to the CTU Code on the prevention of pest contamination be updated after CPM-18 in line with the content of the adopted Recommendation.

21. The IPPC secretariat also informed WP.24 that CPM-18 would consider extending the mandate of its Focus Group on Sea Containers, in which case the Focus Group be available to collaborate on changes to the CTU Code concerning prevention of pest contamination based on the revised CPM Recommendation 6 on Sea Containers.

22. WP.24 noted with appreciation the information provided by the IPPC secretariat. It agreed in principle that the proposals for modifications to the CTU Code on the aspects of prevention of pest contamination be aligned with the CPM-18 adopted Recommendation 6 on Sea Containers. To this end, experts who would be expected to work out the restructuring of the CTU Code in the WP.24-led process, pending the decision of ITC, and who in the restructuring would use the accepted modifications for changes to the CTU Code, as agreed during this session, would also be requested to consider and incorporate changes, as relevant, on the issue of prevention of pest contamination based on a proposal to be submitted by the IPPC secretariat to the ECE secretariat after April 2024. Also, in case the mandate of the CPM Focus Group on Sea Containers be extended into 2024, experts working in the expected WP.24-led process would be invited to collaborate with the CPM Focus Group on Sea Containers on the modifications concerning prevention of pest contamination in the CTU Code.

#### **IV. Chair summary (agenda item 3)**

23. WP.24 agreed that, under this agenda item, the entire report would be read out, and not just the summary of decisions. WP.24 adopted the report for its special session on the CTU Code.

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