

WP.15/AC.2/2007/11th/INF.2

ECONOMIC COMMISSION FOR EUROPE

INLAND TRANSPORT COMMITTEE

Working Party on the Transport of Dangerous Goods

Joint Meeting of Experts on the Regulations annexed to the European Agreement concerning the International Carriage of Dangerous Goods by Inland Waterways (AND)

Eleventh session
Geneva, 23-24 January 2007

Road Map for ADN

Submitted by the Government of Germany and the Netherlands

The delegations of Germany and the Netherlands propose a way (roadmap) on how to deal with the forthcoming entry into force of the European Agreement concerning the International Carriage of Dangerous Goods by Inland Waterways (ADN).

Given the fact that both Germany and France are close on ratifying the ADN, it is likely that the agreement will enter into force in the second half of 2007. A year after, the entry into force of the appendixes will also be fact.

Furthermore on 1 January 2009, the Directive on the inland transport of dangerous goods by the European Commission will probably enter into force too. The German EU Presidency aims that the final draft of this directive will be dealt with in the council meeting of June 2007. This directive will oblige the EU Member States to apply the ADN to the transport of dangerous goods on inland waterways.

The developments mentioned above force us to think about the future of the legislation regarding the transport of dangerous goods on inland waterways. After all, from the CCNR, the ADNR also still applies.

According to the Netherlands and Germany a way must be found in which the high safety standard provided by the ADNR prevails.

The Netherlands and Germany believe that over the years the CCNR has guaranteed an effective amount of attention for transport safety on inland waterways. The CCNR deserves a great amount of credit for the high safety standard we have. The MD/G meets four times a year and twice a year there is a meeting by MD. On the other side in the UNECE at the moment there is only one meeting a year to discuss the ADN. However, until now, more time was not needed, because the ADN did not enter into force and was only to be adapted to the amended technical provisions of ADNR and harmonised with ADR and RID.

Now the ADN and the Directive on the inland transport of dangerous goods are on the verge of entry into force. The ADN will become a very important factor for the Contracting Parties and the EU Member States. The number of states applying ADN will exceed the CCNR member states considerably. The time available for meetings in the UNECE framework will therefore have to increase proportionally. Germany and the Netherlands have prepared a document for the Inland Transport Committee (ITC) meeting in February 2007 to address this issue. It is proposed to have two meetings a year with five working days each in UNECE to discuss the transport of dangerous goods on inland waterways and the necessary amendments to the ADN, starting from January 2008. This meeting frequency seems appropriate. When necessary, intersessional informal working groups can be held as it is common practice for road and rail transport. In the first meeting of the administrative committee, the amendments made since the signing of ADN have to be agreed upon officially.

Meanwhile it is necessary that within CCNR everything is done to complete ADNR 2009 in December 2007 at the latest. For that purpose there will be four more meetings of MD/G in 2007 and one meeting in 2008. It is suggested that - as from January 2008 - the work that is now taken up by MD/G should be carried out under UNECE in Geneva in order to avoid duplication of work and to allow all UNECE Member States to participate.

From that time on, there can be a meeting of MD, residing under CCNR, in Strasbourg twice a year. The MD meeting can provide a platform to the CCNR Member States to bring their points of view in line with one another. At the same time, MD can observe that the ADN will not show unnecessary differences regarding to other CCNR agreements (like ROSR etc.).

To keep the legislation unambiguous, orderly and enforceable as well as to avoid the duplication of the technical work on two identical regulations and of publishing two identical texts, it is suggested that as from 2011 the ADNR will consist only of a reference to ADN.

Appendix 1: Provisional Timetable

2007

| Month | Event | Place |
|----------|---|------------|
| January | 22 Jan: Special meeting MD (roadmap) | Strasbourg |
| | 23-24 Jan: WP.15 AC.2 (consult opinion of non-CCNR states on roadmap and other issues) | Geneva |
| February | 6-8 Feb: ITC: discussion on meeting time for ADN meetings? | Geneva |
| March | 27-29 Mar: MD/G | Bonn |
| April | 19 Apr: MD (discussion and possible decision on roadmap) | Strasbourg |
| May | | |
| June | 7-8 Jun: EU Council meeting (Directive on the inland transport of dangerous goods) | Brussels |

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|-----------|------------------------------|------------|
| | 19-21 Jun: MD/G | France |
| | Entry into force of ADN | |
| July | | |
| August | | |
| September | 25-27 Sep: MD/G | Strasbourg |
| October | MD | Strasbourg |
| November | ADN-Administrative Committee | Geneva |
| December | 18-20 Dec: MD/G | Strasbourg |

From 2008

| Month | Event | Place |
|--------------|---|--------------|
| January | WP.xx on the Transport of Dangerous Goods by Inland Waterways (in 2008 confirmation amendments to ADN 2009) | Geneva |
| February | In 2008 only: last meeting of MD/G: decision on ADNR 2009 | Strasbourg |
| March | | |
| April | MD: decision on ADNR 2009 | Strasbourg |
| May | | |
| June | WP.xx on the Transport of Dangerous Goods by Inland Waterways | Geneva |
| July | | |
| August | | |
| September | | |
| October | MD | Strasbourg |
| November | | |
| December | | |

Furthermore: 1 January 2009 entry into force of the Directive on the inland transport of dangerous goods.

Appendix 2: ITC-Documents (for information)

**UNITED
NATIONS**

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**Economic and Social
Council**

Distr.
GENERAL

ECE/TRANS/2007/xx
xx January 2007

Original: ENGLISH

ECONOMIC COMMISSION FOR EUROPE
INLAND TRANSPORT COMMITTEE

Sixty-ninth session
Geneva, 6 - 8 February 2007
Item 18 (d) of the provisional agenda

TRANSPORT OF DANGEROUS GOODS

Submitted by the Netherlands and Germany

1. Given the fact that both Germany and France are close on ratifying the European Agreement concerning the International Carriage of Dangerous Goods by Inland Waterways (ADN), it is likely that the agreement - after having then seven Contracting Parties - will enter into force in the second half of 2007. A year after, the entry into force of the appendixes will also be fact.
2. Furthermore on 1 January 2009, the Directive on the inland transport of dangerous goods by the European Commission will probably enter into force too. The German EU Presidency aims that the final draft of this directive will be dealt with in the council meeting of June 2007. This directive will oblige the EU Member States to apply the ADN to the transport of dangerous goods on inland waterways.
3. As a result the ADN will become a very important factor for the Contracting Parties and the EU Member States.
4. The developments mentioned above force us to think about the way of the future legislation work regarding the transport of dangerous goods on inland waterways. Until now, the work on the technical provisions was done by bodies of the Central Commission for Navigation on the Rhine (CCNR) - the Working Group on dangerous goods (MD/G) and the Committee for dangerous goods (MD) - for the Regulation on the Transport of Dangerous Goods on the Rhine (ADNR) and adopted by the ADN with no changes. As the ADN becomes a self standing regulation the work on UNECE level and its importance will increase substantially.
5. Therefore, a new Working Party (consisting of an Administrative Committee - Art. 17 ADN - and a Safety Committee - Art. 18 -) should be created. While the work on ADN is done currently in one yearly session of maximum five working days the above mentioned changes will lead to the need to extend the working capacity. Looking at the European Agreement on the International

Carriage of Dangerous Goods by Road (ADR) and its WP.15 the amount of ten working days a year (one day for the Administrative Committee and nine days for the Safety Committee) are assumed to be appropriate.

6. Five days are already assigned to the ADN Recommendation and Agreement. The remaining five days needed should be provided by the Inland Transport Committee taking into account that ADN is a new agreement which did not exist before.

7. The sessions of the Working Party on ADN should take place in January and June of each year. This considers the needs coming from the notification procedure and the usual working weeks of other UN bodies.

8. While the preparation of the ADN 2009 will still go on under the current working order until January 2008 the new system should be introduced as from January 2008. The first task will be the decision on the ADN 2009.

9. Following this development the main work will shift from CCNR to UNECE and consequently the importance of the work under the UNECE framework will increase.

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