

ECONOMIC COMMISSION FOR EUROPE

INLAND TRANSPORT COMMITTEE

Working Party on the Transport of Dangerous Goods

Eighty-fourth session
Geneva, 5-8 May 2008
Item 7 of the provisional agenda

ANY OTHER BUSINESS

Application for Consultative Status

Note by the secretariat

1. The secretariat reproduces hereafter a request received from EURO CONTROL ROUTE (ECR) seeking consultative status for participation in the work of WP.15.
2. The secretariat will consult the relevant legal services in order to determine whether such an administrative arrangement may confer the status of intergovernmental organization to ECR and whether WP.15 may invite ECR to participate in its work.
3. In the meantime WP.15 may wish to comment on this request.



Brussels, 18th April 2008
08-ECR-EX.CO(NO-001rev2)EN

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Mr. Olivier Kervella
Secretariat, Dangerous Goods and
Special Cargoes Division
UNECE Transport Division
Palais des Nations
CH-1211 Geneva 10
Switzerland

Dear Mr. Kervella

As the chairman of ECR, I kindly would ask you to consider the following issue concerning the demand that the Working Party on the Transport of Dangerous Goods of the United Nations Inland Transport Committee (ADR) approve Euro Contrôle Route (ECR) for consultative status as an Intergovernmental Organization based on an Administrative Arrangement. This letter, accompanying material, and the information available on our website www.euro-controle-route.eu provide information on the ECR for consideration by this Working Party at their earliest convenience, which we trust will be its 84th Session.

ECR is an administrative cooperation based on an Administrative Arrangement. ECR is defined like a group of European Transport Inspection Services working together to improve road safety, sustainability, fair competition and labour conditions in road transport by activities related to compliance with existing regulations.

To be a member of ECR a country must accept all the provision of the Administrative Arrangement and on condition that they are members of the European Union, members of the European Economic Area, or that it is Switzerland.

The representatives of the ECR-countries represent their country (Ministers) at the Steering Committee and working groups meetings. So that, it was the Minister competent for transport matters in all members states of ECR who have signed the Administrative Arrangement.

The *first administrative arrangement* was signed on 5 October 1999 by the competent transport ministers of Belgium, Netherlands, Luxembourg and France. As a result of ECR's vigorous expansion and in order to meet the evolving needs, a *second arrangement* was signed on 22 March 2007. The competent transport ministers of Belgium, the Netherlands, Luxembourg, France, Germany, the United Kingdom, Ireland, Spain, Poland, Austria, Romania, Bulgaria and Italy have signed the Administrative Arrangement in 2007 and later, in this year, Hungary also joined the ECR forces. Nowadays 14 countries take part of ECR as memberships, one more country as active observer and the last 5 countries as passive observers.



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ECR is particularly interested in participating in the work of ADR in order to improve the knowledge of the problems by the regulation makers that enforcers can find in their jobs. So that, in regard to enhance the enforcement of the haulage of dangerous goods ECR proposes gaining some easier items to be controlled.

The countries members of ECR have already found the problems on ADR controls on the road and on the premises and now it is time to show them to the Working Party on the Transport of dangerous goods. ECR primary concern is safety on the dangerous goods haulage. For this reason ECR would like to contribute in advising the way to get it.

We have enclosed the following items for your review and consideration:

1. A copy of the Administrative Arrangement
2. List of Current ECR Members and ECR Observers
3. The ECR organization chart

If ECR application for consultative status is approved, our primary representative will be Mr. Luis Martinez who is a delegate of Spain in ECR and a specialist on controlling the road haulage of dangerous goods.

In the last two meetings of our Harmonization Working Group (HAR) Spain was in charge of developing an ECR-Recommendation on risk categorization of the infringements against European Dangerous Goods Regulation. This work is carrying out by Mr. Luis Martinez and may be approved in the next meeting of HAR. In addition to Mr. Martinez, as the need arises, ECR should provide technical specialists to assist Mr. Martinez on specific issues.

Thank you for considering ECR's request for consultative status. If you have any questions regarding our organization you may contact Mr. Martinez at +34 91 5977179 or lmartinez@fomento.es or to Miss Sonja Van Rossem at +32 2 519 39 07 or s.vanrossem@benelux.be. Miss Van Rossem is the Administrator of Euro Contrôle Route Secretariat.

Sincerely,



Philip Stokes
President



ADMINISTRATIVE ARRANGEMENT
EURO CONTRÔLE ROUTE

On co-operation between control services dealing in the field of road transport services and creating a body responsible for implementing that co-operation,

Having regard to the co-operation existing in the field of road transport controls among some of the countries of the European Union and the progress already achieved in this field,

Considering the administrative arrangement creating Euro Contrôle Route (ECR) concluded earlier and signed on 5th of October 1999 by the Benelux countries and France, later enlarged to Germany, the United Kingdom, Ireland, Spain, Austria and Poland,

Whereas the growing internationalisation and deregulation of road transport increase the importance of and the need for international co-operation in the field of the control of road transport,

Whereas close collaboration in the field of controls relating to, inter alia, the improvement of road safety, maintenance of fair competition in the professional road transport sector, driving and resting regulations, environmental regulations and roadworthiness,

Whereas progress has been made within the legal framework of the European Union and the rules on Community level,

The signatories competent for transport decide as follows:

Chapter 1 - Mission Statement and Objectives

Paragraph 1 : Mission statement

Euro Contrôle Route (ECR) is a group of European Transport Inspection Services working together to improve road safety, sustainability, fair competition and labour conditions in road transport by activities related to compliance with existing regulations.

Paragraph 2 : Objectives

- 2.1. The primary objective of this administrative arrangement is the achievement and preservation of a uniform, high level of transport safety concerning the usage of commercial vehicles (own account and account of third parties) in Europe.
- 2.2. In the area covered by this administrative arrangement the following related aims are:
 - a. assurance of a regular and reliable exchange of information;
 - b. the development and implementation of coordinated and common activities between signatories and other interested parties, making the optimal use of available technologies ;
 - c. the establishment of joint training programmes for the inspection services and the promotion of cross-border exchanges of experience;
 - d. the development of uniform check procedures;
 - e. the development of a uniform equipment standard, including the promotion of joint technological developments;
 - f. continuous consultation on the situation in the field concerned and the development of common positions with regard to control policy within amongst others the European Union and the preparation of proposals and recommendations.

Chapter 2 - Tasks

Paragraph 3 : Exchange of information

- 3.1. The signatories agree to exchange, insofar as possible, systematically data relating to offences investigated in one of the countries and committed by a commercial vehicle (own account and account of third parties) undertaking established in another country.

- 3.2. The signatories may, upon implementing controls or investigating offences or accidents which have occurred in their territory, request the inspection service of the country in which the commercial vehicle undertaking is established to carry out an inquiry into the undertaking concerned.
The signatories will endeavour to fulfil such requests insofar as possible and to inform the requesting party of the results of the inquiry.

Paragraph 4 : Co-ordination of control activities

- 4.1. The signatories agree to organise either joint controls, or co-ordinated controls. They will appoint contact persons who will be responsible for such co-ordination between the countries concerned.
- 4.2. The signatories will endeavour to make best use of existing, new or developing technologies to ensure maximum efficiency of contacts and co-ordination between the countries concerned.

Paragraph 5 : Training

The signatories agree to organise common training programmes to fulfil the needs of the control services, in order to improve mutual knowledge of the organisation and means of control in the countries concerned and to promote cross-border exchanges of experience.

Paragraph 6 : Uniform check procedures¹

- 6.1. The signatories will inform each other of the developments of national regulations concerning the practice of control of all signatories.
- 6.2. On the basis of the exchange of information in accordance with paragraph 6.1, the signatories develop uniform check procedures concerning the relevant regulations and work towards the implementation of these standards.

Paragraph 7 : Equipment

- 7.1. The signatories will inform each other of new developments in technology and will exchange all useful information in this regard.
- 7.2. On the basis of the exchange of information in accordance with paragraph 7.1, the signatories offer recommendations on the level of equipment and work towards a uniform equipment standard.

¹ uniform check procedures and knowledge of national systems in order to enhance transparency and reduction of administrative burden.

Paragraph 8 : Consultations, legal development, proposals and recommendations

- 8.1. Periodic consultation will be organised between signatories to review the situation in the various fields of co-operation and to examine possible new developments. This consultation can include information on national developments in signatory states.
- 8.2. The aim of consultation will also be to take common initiatives and, insofar as possible, to adopt common positions with regard to control policy within the framework of the European Union as well as the national developments.
- 8.3. The signatories will communicate to the European institutions as appropriate proposals and recommendations as a basis for updating and further developing regulations in the area of road transport of goods and passengers.

Paragraph 9 : Implementation

The signatories undertake to implement the recommendations and resolutions according to the paragraph 3 to 8.

Chapter 3 – Organisation**Paragraph 10 : Euro Contrôle Route**

- 10.1. The co-operation established by the administrative arrangement is carried out by a group of road transport control services and is named „Euro Contrôle Route“ (ECR).
- 10.2. The representatives of all signatories in this administrative arrangement constitute the steering committee. The steering committee is the decision-making board of Euro Contrôle Route. It monitors the fulfilment of the tasks and accompanies the developments which are necessary for achieving the agreed aims, and decide about the budget.
- 10.3. The chairmanship of the steering committee is assumed successively by each signatory. The term of the chairmanship lasts for 12 months, starting from the 1st of July until the 30th of June of the following year.
- 10.4. The current chairman, his immediate predecessor and his immediate successor in rotation form the executive committee of Euro Contrôle Route. The steering committee may extend the executive committee by up to six members by electing volunteering members for a renewable 1-year term among the members of the steering committee. The executive committee plans the meetings of the steering committee, prepares the agenda and is charged with the steering of the day-to-day running which is executed by the Benelux General Secretariat.

The executive committee provides the external representation of Euro Contrôle Route.

- 10.5. The secretariat of Euro Contrôle Route is provided by the Benelux General Secretariat.

Furthermore the Benelux General Secretariat can act for Euro Contrôle Route as:

- legal entity
- employer of personnel who are employed in the framework and at the expense of Euro Contrôle Route
- the administrator of Euro Contrôle Route's finances

For the secretariat of Euro Contrôle Route, the Benelux General Secretariat will act in conformity with the directions given by the steering committee to which it will report about its activities.

The costs are payed by Euro Contrôle Route.

- 10.6. The steering committee establishes the internal regulations (IR), respecting the administrative arrangements. The internal regulations have to be adopted unanimously.
- 10.7. To achieve the aims agreed in paragraph 2 and in fulfilment of the tasks set forth in paragraphs 3 to 8, the signatories can form working/project groups. Further provisions are noted down in the internal regulations of Euro Contrôle Route.

Paragraph 11 : **Participation by additional countries**

- 11.1. Euro Contrôle Route may be extended to new countries insofar as such countries can accept all the provisions of this administrative arrangement and on condition that they are members of the European Union, members of the European Economic Area, or that it is Switzerland.
- 11.2. Countries that apply to enter the European Union may be accepted as observers within Euro Contrôle Route if their application to enter the European Union has been accepted and the date of their entry has been determined. They can sign the amendement to the administrative arrangement (copy in annex) as soon as their membership in the European Union becomes effective.
- 11.3. The amendement to the administrative arrangement is signed by the Minister in charge of transport from the new acceding country and the Minister in charge of transports from the country that chairs Euro Contrôle Route.
- 11.4. The internal regulations of Euro Contrôle Route will specify the terms of membership more in detail.

Chapter 4 – Finances

Paragraph 12 : Revenues and expenses

- 12.1. Euro Contrôle Route is a non commercial organisation and its revenues and expenses are covered by incomes from :
- a) contributions of its signatories as decided by the steering committee;
 - b) fundings, charges for publication, training and other services provided by Euro Contrôle Route.

Expenditure is managed by the executif committee and controlled by the steering committee

- 12.2. Further provisions are noted down in the internal regulations of Euro Contrôle Route.

Chapter 5 – Coming into effect and termination

Paragraph 13 : Coming into effect

- 13.1. This administrative arrangement will come into effect from the date of its signature by the Ministers in charge of transport.
- 13.2. This administrative arrangement supersedes the administrative arrangement, signed on the 5th of October 1999.

Paragraph 14 : Termination

- 14.1. The signatories are members of Euro Contrôle Route for an indefinite period. A signatory membership of Euro Contrôle Route may be cancelled by written notification to the chairman of Euro Contrôle Route addressed to the ECR-secretariat. Such termination will take effect three months following the notice.
- 14.2. The yearly contribution paid by each signatory is due as of January 1st. Termination by a signatory, which will take effect before 31st December of the current year, cannot result in restitution of annual contribution. The signatory who terminates the administrative arrangement after 1st January is obliged to pay its annual contribution for the forthcoming year.

Done in English and French in two originals, one in every language.

In Brussels, on 22nd March 2007

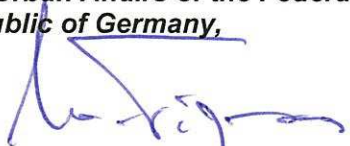
The Minister of Mobility of the Kingdom of Belgium,



The Minister of Transport of the Grand Duchy of Luxembourg,



Federal Minister of Transport, Building and Urban Affairs of the Federal Republic of Germany,




The Secretary of State for Transport of the United Kingdom of Great Britain and Northern Ireland,



The Minister for Transport, Innovation and Technology of the Federal Republic of Austria,



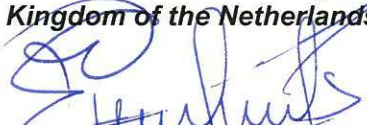
The Minister of Transport of the Republic of Poland,



The Minister of Transport of the Italian Republic



The Minister of Transport, Public Works and Water Management of the Kingdom of the Netherlands,



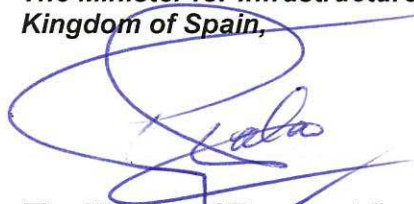
The Minister of Transport, Infrastructure, Tourism and Sea of the French Republic,



The Minister Transport of Ireland,



The Minister for Infrastructures of The Kingdom of Spain,



The Minister of Transport Construction and Tourism of Romania,



The Minister of Transport of the Republic of Bulgaria,



ANNEX I : amendement to the administrative arrangement

Protocol

to the administrative arrangement

***on co-operation between control services
dealing in the field of road transport services and creating
a body responsible for implementing that co-operation***

Having regard to the administrative arrangement on co-operation between control services dealing in the field of road transport services and creating a body responsible for implementing that co-operation signed on, particularly paragraph 11 thereof;

Taking note of the desire of the Minister ofto participate in the administrative arrangement;

Noting moreover the desire of the participants in the administrative arrangement to extend such co-operation to

The signatories decide:

Paragraph 1

Pursuant to paragraph 11 of the administrative arrangement, the Minister of approves the above-mentioned administrative arrangement in all respects and will hereafter participate in the arrangement whereby administrative co-operation will take place within the framework of Euro Contrôle Route.

Paragraph 2

This protocol will come into effect on the day of its signature by all signatories.

Done in English and French in four originals, two in every language.

In _____, on _____

The Minister,

For Euro Contrôle Route,
the Minister,

Country	Service
Belgium	Federal Public Service for Mobility and Transport, Directorate-General of Inland Transport
Luxembourg	Ministry of Transport, Administrations of the Customs and Excises, Security Attributions Division
Netherlands	Transport and Water Management Inspectorate Inspectie Verkeer en Waterstaat (IVW)
France	Sub-directorate of Road Transports Ministry of Transport, Equipment, Tourism and the Sea – General-Directorate of the Sea and Transports – Directorate of Maritime, Road and River Transports
Germany	Federal Office for Goods Transport in Germany Bundesamt für Güterverkehr (BAG) Bundesministerium für Verkehr, Bau- und Wohnungswesen
Ireland	Department of Transport, Road Haulage Division
United Kingdom	Department for Transport, Vehicle and Operator Services Agency
Spain	Ministry of Equipment, Inspection of Road Transports Ministerio de Fomento, Inspección de los Transportes por carretera
Poland	General Inspectorate of Road Transports Główny Inspektorat Transportu Drogowego (GITD)
Austria	Federal Transport Office Bundesanstalt für Verkehr
Romania	Ministry of Transport, Romanian authority of road transports Ministerul Transporturilor, Autoritatea Rutieră Română
Bulgaria	Executive Agency for Road Transport (EART) и Изпълнителна Агенция „Автомобилна Администрация” в България (ИААА)
Hungary	National Transport Authority - Autorité Nationale du Transport Nemzeti Közlekedési Hatóság (NKH)
Italy	Ministero dei Trasporti –Dipartimento per I trasporti Terrestri Ministry of Transport – Department of Road Transport
Malta	Ministry for Urban Development and Roads Ministeru għall-Iżvilupp Urban u Toroq Malta Transport Authority Awtorità dwar it-Trasport ta' Malta
Switzerland	Federal Roads Office Office fédéral des routes
Lithuania	State Road transport inspectorate under the Ministry of Transport and Communications of the Republic of Lithuania Lietuvos Valstybinė kelių transporto inspekcija prie Susisiekimo ministerijos
Slovenia	Ministry of Transport Transport Inspectorate of the Republic of Slovenia Ministrstvo za promet Prometni inšpektorat Republike Slovenije
Czech Republic	Ministry of Transport - Road Transport Department Ministerstvo dopravy - Silniční doprava
Latvia	Road Transport Inspectorate under the Ministry of Transport and Communications

