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ECONOMIC COMMISSION FOR EUROPE

INLAND TRANSPORT COMMITTEE

Working Party on Road Transport

(Geneva, 27-29 October 2004)

PROVISIONAL AGENDA FOR THE NINETY-EIGHTH SESSION *

to be held at the Palais des Nations, Geneva
starting at 10.00 a.m. on Wednesday, 27 October 2004

Tuesday 27 October 2004

- | | | |
|----|---|-------------------|
| 1. | Adoption of the agenda | TRANS/SC.1/374 |
| 2. | Adoption of the report of the ninety-seventh session | TRANS/SC.1/373 |
| 3. | Activities of ECE bodies and international organizations of interest to the Working Party | |
| | (a) Inland Transport Committee and its subsidiary bodies | ECE/TRANS/156 |
| | (b) International organizations | TRANS/SC.1/2004/9 |

* Delegates are requested to fill-in the attached registration form (also available from the Internet web site of the ECE Transport Division) and to transmit it at least two weeks before the session to the ECE Transport Division, either by fax (+41-22 917 0039) or by email (roadtransport@unece.org). In Geneva, prior to the session, delegates are required to present themselves at the Pass and Identification Unit of the UNOG Security and Safety Section, located at the Villa les Feuillantines, 13 Avenue de la Paix (please see the plan on the last page), for issuance of an identification badge. In case of difficulties, please telephone the ECE secretariat (extension 73242).

4. Implementation of the AETR E/ECE/811/Amend.4
TRANS/SC.1/371/Add.1/Rev.1
5. Road transport infrastructure
- (a) European Agreement on Main International
Traffic Arteries (AGR)
- (i) Status of prior amendments to the AGR ECE/TRANS/16/Amend.9
- (ii) Consideration of new proposals
for amendments to the AGR,
Annex I TRANS/SC.1/2004/7
TRANS/SC.1/2004/2
TRANS/SC.1/2002/13/Rev.2
- (iii) Consideration of new proposals
for amendments to the AGR,
Annex II TRANS/SC.1/AC.5/38
TRANS/SC.1/AC.5/36
TRANS/SC.1/2003/3
TRANS/SC.1/2003/3/Rev.1
- (b) Trans-European North-South Motorway
(TEM) Project TRANS/SC.1/2004/4

Thursday, 28 October

6. Harmonization of requirements concerning international
road transport and facilitation of its operation
- (a) Development of provisions on the
facilitation of international road
transport (R.E.4) TRANS/SC.1/2002/4/Rev.4
TRANS/SC.1/2004/1
- (b) Consideration of possibilities for
agreements and other measures on
border crossings and border facilities for
road transport between Eastern and Western Europe TRANS/SC.1/2004/5
- (c) Development of a Protocol to the CMR TRANS/SC.1/2003/1 and
Add.1
TRANS/SC.1/2001/7
TRANS/SC.1/2002/2 and
Adds.1, 2 and 3
TRANS/SC.1/2004/3
- (d) Review of questions concerning facilitation
of international road transport
- (i) International Motor Insurance
System (Green Card) TRANS/SC.1/2004/6

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|-------|--|--------------------|
| (ii) | Accession to and implementation of UNECE international legal instruments on road transport | TRANS/SC.1/2004/11 |
| (iii) | Harmonization of fiscal and other measures affecting road transport | TRANS/SC.1/2004/8 |
| 7. | Terms of reference and rules of procedure | TRANS/SC.1/2004/10 |

Friday, 29 October

8. Election of Officers
9. Other business
- Date of next session
10. Adoption of decisions

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EXPLANATORY NOTES ¹

27 October 2004

1. ADOPTION OF THE AGENDA

In accordance with the Commission's Rules of Procedure, the first item is the adoption of the agenda.

2. ADOPTION OF THE REPORT OF THE NINETY-SEVENTH SESSION

The Working Party is invited to adopt the report on its ninety-seventh session which was prepared after the session by the secretariat.

3. ACTIVITIES OF ECE BODIES AND INTERNATIONAL ORGANIZATIONS OF INTEREST TO THE WORKING PARTY

(a) Inland Transport Committee and its subsidiary bodies

The Inland Transport Committee, at its sixty-sixth session (17-19 February 2004), approved the report of the Working Party on its ninety-seventh session (TRANS/SC.1/373) (ECE/TRANS/156, para. 43).

¹ For reasons of economy, delegates are kindly requested to bring to the meeting copies of the documents received by mail prior to the meeting or downloaded from the Internet.

All SC.1-related issues considered by the Committee will be taken up under the respective agenda items.

SC.1 will be informed of the request made by the Committee, which, noting that a number of legal instruments were not in force, asked the secretariat to undertake an analysis of those international instruments and indicate the reasons why States have not yet become Contracting Parties to them.

(b) International organizations

Representatives of international organizations at the session are invited to present information regarding their activities to the Working Party and to provide the secretariat with a short summary of their interventions which may be reflected in the report of the session.

An International Road Transport Union (IRU) position on security (TRANS/SC.1/2004/9) is made available under this item.

4. IMPLEMENTATION OF THE AETR

The Working Party will be informed that the amendments to Article 12 of the AETR on checking procedures entered into force on 27 February 2004 (E/ECE/811/Amend.4). The Working Party may wish to discuss the requirement in paragraph 5 of Article 12 which states that the secretariat shall issue a report every two years on the application by Contracting Parties of measures of enforcement of the Agreement.

The Working Party will also have before it document TRANS/SC.1/371/Add.1/Rev.1 which contains all the amendments adopted by SC.1 at its ninety-sixth (TRANS/SC.1/371/Add.1) and ninety-seventh (TRANS/SC.1/373, Annex 1) sessions concerning the introduction of the digital tachograph into the AETR. New amendments updating certain information which take into account the latest developments in the EU have been made by the secretariat to Appendix 1B. These modifications appear in bold. The amendments are supplemented by an explanatory memorandum at the end of this document. The explanatory memorandum is systematically required by New York when an amendment proposal is submitted.

The Working Party may wish to adopt this document and approve its transmission to the UN Secretary-General so that formal amendment procedures are commenced. Members of SC.1 are reminded that the 4-year transition period for introduction of the digital tachograph will commence once the relevant amendments have entered into force.

The Working Party will also be informed about a proposal made by the secretariat to organize a seminar in the Russian Federation for non-EU countries in order to familiarize the relevant Government officials with the digital tachograph.

5. ROAD TRANSPORT INFRASTRUCTURE

(a) European Agreement on Main International Traffic Arteries (AGR)

(i) Status of prior amendments to the AGR

The Working Party will be informed about the status of draft amendments to the AGR adopted by SC.1 at its ninety-seventh session in 2003 (TRANS/SC.1/373, paras. 17 and 18). The Working Party will also have before it Amendment 9 to the AGR (ECE/TRANS/16/Amend.9) incorporating amendments to the AGR which entered into force on 4 December 2001, 29 August 2002 and 24 November 2003.

(ii) Consideration of new proposals for amendments to the AGR, Annex I

The Working Party may wish to consider proposals regarding E roads in Romania (TRANS/SC.1/2004/7) and a proposal for a new E road in Estonia (TRANS/SC.1/2004/2).

The Working Party will also have before it for reference TRANS/SC.1/2002/Rev.2 which shows the correspondence between the E Road Network and the Asian Highway Network.

(iii) Consideration of new proposals for amendments to the AGR, Annex II

At its ninety-sixth session in October 2002, SC.1 had endorsed proposals for amendments to Annex II of the AGR based on a proposal by the TEM project. It had, however, decided to wait for the other existing proposals for amendments to Annex II to be adopted so that all the proposals concerning this Annex could be transmitted globally to the Secretary-General for notification.

At its ninety-seventh session, SC.1 made a detailed examination of proposals for amendments to Annex II concerning the environment and safety in tunnels (TRANS/SC.1/AC.5/38). It approved in principle proposals for amendments concerning provisions relating to the environment on which the Netherlands and Turkey had entered some reservations. With reference to the proposals concerning safety in tunnels, SC.1 considered, in view of concerns expressed on the risks of inconsistency with the forthcoming EU directive, that it was necessary to postpone the adoption of these provisions until its ninety-eighth session. The text of the EU Directive adopted on 29 April 2004 (OJ L 167/39) will be made available for reference to the Working Party in English and French.

In order to provide a clear picture of the modifications introduced by the secretariat as a result of the adoption of the Directive, the content of Annex 2 of document TRANS/SC.1/AC.5/38 (safety in tunnels) has been revised and will be available as an informal document in English and French only. In parallel, the same modifications have been introduced into document TRANS/SC.1/2003/3/Rev.1 which also contains all the modifications already adopted by SC.1, including the ones relating to the environment.

The Working Party may now wish to adopt the entire package of amendments to Annex II as contained in TRANS/SC.1/2003/3/Rev.1 and approve their transmission to the Secretary-General for formal amendment procedures.

(b) Trans-European North-South Motorway (TEM) Project

The Working Party will be informed about progress made since its last session on the development of the TEM Project (TRANS/SC.1/2004/4).

28 October 2004

6. HARMONIZATION OF REQUIREMENTS CONCERNING INTERNATIONAL ROAD TRANSPORT AND FACILITATION OF ITS OPERATION

(a) Development of provisions on the facilitation of international road transport (R.E.4)

Following the adoption of the text of R.E.4, with a number of amendments, by SC.1 at its ninety-seventh session, the Inland Transport Committee at its sixty-sixth session, adopted a final text of the Resolution contained in document TRANS/SC.1/2002/4/Rev.3. It requested the secretariat, however, to prepare a revised version (Rev.4) so that final corrections of form or corrections related to translation problems could be included.

The Committee decided to remove the square brackets in the last indent of 1.2.1.6. In addition, in response to requests by Switzerland, Norway and the Russian Federation concerning the reference in brackets added to paragraph 4.2.1 and the addition by the Committee explaining this in a footnote, the Committee adopted the following text, to which the European Commission, on being consulted on the subject, agreed: *“the system of Community and similar licences applicable to carriers of the European Union, the European Economic Area and Switzerland for transport operations between these countries is not concerned by this point”*.

The Committee requested countries to put forward any reservations by 1 July 2004 and said that reservations entered after that date would not be taken into consideration. Lastly, the Committee noted that reservations concerning the text would be incorporated into a separate document as in the case of the procedure already followed in 1985.

The reservations received by the secretariat appear in TRANS/SC.1/2004/1.

(b) Consideration of possibilities for agreements and other measures on border crossings and border facilities for road transport between Eastern and Western Europe

The Working Party will be informed about the progress of discussions on the new draft text of Annex 8 to the Convention on the Harmonization of Frontier Controls of Goods which is under consideration for adoption by the WP.30 Administrative Committee for the Harmonization Convention.

Regarding the question of the issuance of visas to professional drivers, the Inland Transport Committee at its sixty-sixth session took note of SC.1's decision that it was for the time being premature to undertake work in the form of the establishment of an ad hoc group on the problem of visas but that it would, however, accept the decision taken by the Inland Transport Committee in this regard (TRANS/SC.1/373, paras. 34-36).

The Committee discussed in depth the possible follow-up to be given to the survey conducted by the secretariat in 2002/03 and in particular on the proposal by the Russian Federation, supported by Belarus and Ukraine, to establish a working group in this regard. These countries reiterated their concerns as to the difficulties encountered by their professional drivers and highlighted the fact that no improvements had been observed. The Bureau had issued a preliminary opinion in favour of establishing a working group in this regard.

During the discussion, arguments for and against establishing this working group were exchanged:

- The need to encourage pragmatic solutions to the problems encountered without calling in question the very existence of the visas and the countries' policy in that regard; the need to facilitate road transport, in particular by seeking to standardize the documents to be submitted and to reduce the deadlines for the issue of visas;
- Lack of competence of ministries of transport to legislate in this area; risk of duplication with the work of ECMT; advisability of awaiting the effects of adopting R.E.4 and the expected adoption in 2004 of Annex 8 to the Convention on the Harmonization of Frontier Controls of Goods.

On a factual level, some delegations stressed the lack of specific details on difficulties encountered in the field. In view of the divergences in the positions expressed, as a first stage the Committee requested the countries concerned to send it a technical note with full details of the specific problems encountered by their carriers.

In light of the discussions by the ITC, the three Governments mentioned above were invited to submit a technical note on the problems of their carriers regarding issuance of visas to professional drivers in time for the meeting of the Bureau of the ITC on 7 June 2004.

At its meeting on 7 June 2004, the Bureau took note of letters and a technical note received from eight countries detailing the problems which their professional drivers routinely encountered in applying for visas to engage in international transport (Armenia, Belarus, Georgia, Kazakhstan, Kyrgyzstan, Moldova, Russian Federation, Ukraine).

The Bureau agreed that because of the late arrival of the letters and the technical note it had not been possible to arrange for their translation by United Nations translation services in time for the Bureau meeting and that therefore consideration of them should be postponed until the December meeting of the Bureau and the 67th session of the ITC in February 2005.

It requested the secretariat to prepare a consolidated document of the letters and the technical note to be submitted to the forthcoming session of the ITC as well as to the next Bureau meeting.

The consolidated document appears in TRANS/SC.1/2004/5. It is submitted to SC.1 for information only.

(c) Consideration of the development of a Protocol to the CMR

At its sixty-sixth session, the Inland Transport Committee noted that SC.1, which had before it two proposals, one submitted by UNIDROIT, the other by Germany, for a new draft Protocol to the CMR with a view to the introduction of an electronic consignment note, had at its ninety-seventh session requested the secretariat to write to member countries to ask them to define their preference as to the approach to be used in drafting the text of the Protocol. The Committee was informed that a questionnaire prepared for the purpose by the secretariat had been sent to the members of SC.1. It asked the secretariat to make a careful analysis of the replies and report to SC.1.

The replies to the secretariat questionnaire are contained in document TRANS/SC.1/2004/3. On the basis of the replies received, which show a clear majority in favour of the UNIDROIT proposal, SC.1 will be invited to pronounce on the follow-up to be given to this survey. It could in particular be proposed to hold an ad hoc meeting on the CMR in 2005 in order to finalize the text of the new Protocol.

(d) Review of questions concerning facilitation of international road transport

(i) International Motor Insurance System (Green Card)

The Working Party may wish to consider the report of the President of the Council of Bureaux of the Green Card System (TRANS/SC.1/2004/6) and the updated list of Inter-Bureaux Agreements on international third-party motor insurance.

(ii) Accession to and implementation of UN/ECE international legal instruments in the field of road transport

Information on the status of accession to UN/ECE legal instruments on road transport will be provided by the secretariat (TRANS/SC.1/2004/11).

(iii) Harmonization of fiscal and other measures affecting road transport

An International Road Transport Union (IRU) position on road charging (TRANS/SC.1/2004/8) is made available for discussion under this item.

7. TERMS OF REFERENCE AND RULES OF PROCEDURE

The Sub-Committee on Road Transport (SC.1) was established by Resolution No. 13 of the Inland Transport Committee on 5 February 1948. The Sub-Committee was subsequently transformed into the Principal Working Party on Road Transport. In 1997, the Principal Working Party became the present Working Party on Road Transport. Throughout those changes the Working Party has retained the acronym SC.1. The original mandate given to SC.1 is no longer valid and should be modernised and developed.

The SC.1 may wish to discuss and adopt draft terms of reference and rules of procedure prepared by the secretariat (TRANS/SC.1/2004/10).

29 October 2003

8. ELECTION OF OFFICERS

The Working Party is invited to elect its officers (Chairman and Vice-Chairman) for 2005-2006.

9. OTHER BUSINESS

The Working Party may wish to consider any other business under this agenda item.

Date of next session

The Working Party will be informed about the dates selected for its ninety-ninth session in 2005.

10. ADOPTION OF DECISIONS

The Working Party will adopt a brief list of decisions taken at its ninety-eighth session on the basis of a draft to be prepared by the secretariat.



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Working Party on Road Transport, ninety-eighth session, 27-29 October 2004

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