



## Economic and Social Council

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### Economic Commission for Europe

#### Inland Transport Committee

#### Working Party on Road Transport

#### Group of Experts on European Agreement Concerning Work of Crews of Vehicles Engaged in International Road Transport (AETR)

#### Twentieth session

Geneva, 18 February 2019

### Report of the Group of Experts on the European Agreement concerning Work of Crews of Vehicles Engaged in International Road Transport on its twentieth session

#### I. Attendance

1. The AETR Group of Experts held its twentieth session in Geneva on 18 February 2019, chaired by Mr. R. Symonenko (Ukraine).
2. Representatives of the following ECE member States participated: Azerbaijan, Belarus, Finland, Netherlands, Norway, Russian Federation, Slovakia, Sweden, Switzerland, Turkey, Ukraine and the United Kingdom of Great and Northern Ireland.
3. The representative of a non-ECE member states also participated: Egypt.
4. The European Union, the European Commission on Joint Research Centre (JRC), and the following non-governmental organizations were represented: Confederation of Organization in Road Transport Enforcement (Corte), EuroMed Transport Support Project, In Group, International Road Transport Union (IRU), Mintrans Russia, FSI Rosavtotrans, National Association of Automobile and Urban Passenger Transport Enterprises, and Stoneridge.

#### II. Adoption of the Agenda

5. The Group of Experts adopted the session's agenda (ECE/TRANS/SC.1/GE.21/46).

### **III. Programme of Work**

#### **A. Development of proposals for amending the AETR Agreement, including Article 22bis**

6. At the last session, the Russian Federation and the European Commission reiterated their earlier positions (indicated in ECE/TRANS/SC.1/GE.21/2017/2/Rev.3). The Chair had urged the parties to reconsider their positions. Due to time constraints, the Group of Experts decided to retain this item on the agenda for the next session.

#### **B. Appendix 1C**

7. At the last session, Turkey had requested that the Group at this session discuss a transitional arrangement for vehicle manufacturers based in the countries of non-European Union AETR contracting parties to receive workshop cards. The Group of Experts also commenced its discussion on the reconciliation of the differences in “AETR regimes” in European Union and non-European Union contracting parties that will result after the compulsory adoption of the smart tachograph by European Union AETR contracting parties after 15 June 2019. Among others, Informal document No. 3 (October 2018) proposed principles on how to accept European Union vehicles equipped with smart tachographs on the territories of non-European Union AETR contracting parties.

8. Given the link between this item 2(b) and item 5, the Group of Experts decided to discuss them together.

9. To facilitate discussion, the European Commission tabled the following documents: Informal document No. 1 entitled “Smart Digital Tachograph Technical Analysis for the Amendment of Regulation 799/2016”, Informal document No. 2 containing tables of equivalence between Annex 1C in Regulation (European Union) 2016/799 and the AETR Agreement and Informal document No. 3 containing a proposal to smooth the impact of the smart tachograph implementation on the territories of non-European Union AETR contracting parties. The Russian Federation also tabled Informal documents Nos. 5, 6 and 7 which provided general and specific comments on the text of draft Annex 1C.

10. Subject to approval by capitals, the Group agreed on a set of high-level principles to reconcile the AETR regime in European Union and non-European Union contracting parties after 15 June 2019 (see Annex 1). The Group also agreed that the non-EU AETR Contracting Parties would provide their agreement or objection to the high-level principles in writing to the secretariat by 15 March 2019.

11. The Group of Experts requested the European Commission to amend draft Annex 1C (ECE/TRANS/SC.1/GE.21/2018/1) to incorporate the proposed/requested changes contained in Informal document Nos. 2, 6 and 7, and to submit ECE/TRANS/SC.1/GE.21/2018/1/Rev.1 in English and French for discussion and adoption at the next session.

12. It was further noted that at the last session, the Group of Experts had continued its review of ECE/TRANS/SC.1/GE.21/2018/1 until point “gg (out of scope)” on page 15 in the English version.

#### **C. Dedicated short range communication**

13. At the last session, the Russian Federation proposed that the Group of Experts consider the issue of the possibility of switching off the Dedicated short range

Communications manually or automatically in countries where its use may not be legal. The Russian Federation raised the question of the strength of the signal within the territory of the Russian Federation. The European Commission will revert on this question at the next session.

#### **D. Application of Regulation No. 561/2006 in the “AETR area”**

14. At the last session, the Group of Experts did not further discuss the application of Regulations No. 561/2006 and 165/2014 nor did it attempt to harmonize the two regimes for driving times and rest periods. Due to time constraints, the Group of Experts agreed to keep this item on the agenda so that it can be revisited at future sessions if so desired.

### **IV. Amendment of Article 14**

15. At the last session, Turkey informed the Group of Experts that it had begun the necessary steps to submit an amendment proposal to the United Nations Office of Legal Affairs to amend Article 14 in order to make Lebanon eligible to accede. The Group was informed that an amendment proposal from Turkey was transmitted to the Secretary-General on 13 November 2018. On 16 November 2018, a depositary notification (C.N.561.2018.TREATIES-XI.B.21) was issued by the Office of Legal Affairs, New York.

16. The Government of Egypt addressed the Group of Experts and also tabled a letter which requested the opening of the AETR Agreement to Egypt for accession (Informal document No. 4). The Group took note of this and agreed to forward the request to SC.1.

17. To facilitate this, the Group agreed that the following amendment to Article 14 of the AETR Agreement to allow Egypt to accede to it would be necessary and requested the secretariat to forward it to SC.1 for consideration at its upcoming session.

“Article 14

18. This Agreement shall be open for signature until 31 March 1971 and thereafter for accession, by States members of the Economic Commission for Europe and States admitted to the Commission in a consultative capacity under paragraph 8 or 11 of the Commission's terms of reference. Accessions under paragraph 11 of the Commission's terms of reference shall be limited to the following States: Algeria, Egypt, Jordan, Lebanon, Morocco and Tunisia.”

19. Subject to the above proposal being adopted by SC.1, the Group of Experts invited an AETR Contracting Party to formally submit this proposal to the Secretary-General.

20. The representative of EUROMED also advised of the interest of Israel to accede to the AETR Agreement, as well as of the latest developments on the preparations of Algeria, Jordan, Morocco and Tunisia to accede to the AETR Agreement.

### **V. TACHOnet**

21. At the last session, the European Commission submitted Informal document No. 4 which contained draft text on a possible annex to the AETR Agreement of the TACHOnet. It also provided an update on expected time frames for delivery in 2019. At this session, Austria (in its capacity as holder of the European Union Presidency) submitted ECE/TRANS/SC.1/GE.2/2019/1 on the subject.

22. The Group requested that the European Commission submit ECE/TRANS/SC.1/GE.2/2019/1/Rev.1 for the next session taking into account the feedback

received on the graphs, diagrams and references to European Union and European Commission regulations.

## **VI. Reconciliation of “AETR regimes” in the European Union and non-European Union contracting parties after 15 June 2019**

23. Given the link between items 2(b) and 5 of the agenda, the discussion by the Group is reflected under item 2(b) above.

## **VII. Other Business**

24. The Group of Experts discussed the need to extend its mandate which expired on 30 June 2019. It requested the secretariat to take all the necessary steps to bring this about, including informing Inland Transport Committee (ITC) at its eighty-first session. The Group requested three sessions per annum until 30 June 2021.

## **VIII. Date and Place of Next Meeting**

25. The next meeting will take place on 17 June 2019 in Palais des Nations in Geneva. The deadline for the submission of formal documents is 29 March 2019.

## **XI. Adoption of the Report**

26. The Group of Experts adopted the report of this session.

## Annex

1. During a transitional period of 6 months [Turkey: one year] after the 15 June 2019, a smart tachograph in accordance with Articles 8, 9 and 10 of Regulation (European Union) No 165/214 and with Regulation (European Union) 2016/799 shall be considered as conforming to the requirements of the AETR and the Annex and Appendices thereto.
  2. During the same period of 6 months, workshop cards issued by Member States of the European Union may be used for the purpose of activation of smart tachographs installed in vehicles that are manufactured in the territory of contracting parties outside of the EU. The use of those workshop cards shall be subject to the following limits:
    - The vehicles shall be intended for the European Union market and constructed by manufacturers [Turkey: or their representatives] based in the European Union.
    - The activation of the tachographs shall always be performed at the manufacturer's facilities and in presence of the cardholder.
    - The number of available cards per manufacturer shall be the minimum necessary to activate the tachographs aboard the vehicles that are produced.
    - Vehicle manufacturers shall keep a detailed record of the vehicles which tachograph has been activated with a European Union tachograph card, including VIN (vehicle identification number).
    - The Member State issuing a card shall keep the right to withdraw that card when there is evidence of misuse of the latter.
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