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Economic Commission for Europe**Inland Transport Committee****Global Forum for Road Traffic Safety****Eighty-first session**

Geneva, 21-25 September 2020

Item 3 (c) (v) of the provisional agenda

Convention on Road Traffic (1968):**Automated driving****Amendment proposal to Article 34 in the 1968 Convention on Road Traffic****Establishment of a Group of Experts on drafting a new legal instrument on the use of automated vehicles in traffic****Submitted by the Chair of WP.1 and secretariat**

At the Inland Transport Committee session in 2020, the Committee welcomed the initiative of WP.1 on the need to establish a new legal instrument on the use of automated vehicles in road traffic. However, it decided not to approve the proposal contained in ECE/TRANS/2020/7. It requested WP.1, in close cooperation with all relevant Working Parties, especially WP.29 and SC.1, possibly through written consultations, to reconsider the proposed ToR, in particular paragraphs 10–12 (para. 54, ECE/TRANS/294).

The WP.1 Chair, with assistance of the secretariat, has undertaken the requested consultations by involving all the Working Parties as well as the Government delegations attending WP1. On the basis of the comments and inputs received, the original proposal (ECE/TRANS/2020/7) has been revised. WP.1 is invited to discuss this document with a view of adopting it.

1. At its sessions, the Inland Transport Committee has regularly pointed out the importance for the Global Forum for Road Traffic Safety (WP.1) to seek novel institutional approaches on the issue of more advanced vehicle automation vis-à-vis the driver's role (ECE/TRANS/248, para. 42 (d)), and to scale up and speed up regulatory and other initiatives, on automated, connected and autonomous vehicles which aim to provide better road safety; to enable a future safe coexistence of automated and traditionally operated vehicles on roads; and their interaction with other road users and infrastructure, environmental protection, energy efficiency and traffic management (ECE/TRANS/270, para. 42 (c) and ECE/TRANS/274, para. 36).
2. At its seventy-ninth session (17–20 September 2019), WP.1 requested the secretariat begin procedures to set up a formal group of experts on preparing a new convention on the use of automated vehicles in road traffic (ECE/TRANS/WP.1/169, para. 28).
3. The above request is a recent example of WP.1 continued high interest in vehicle automation and traffic rules over the last several years. For example, in December 2017, WP.1 began developing a draft resolution in this area, which was adopted as non-binding guidance in 2019 (ECE/TRANS/WP.1/2018/4/Rev.3), titled "Global Forum for Road Traffic Safety (WP.1) Resolution on the deployment of highly and fully automated vehicles in road traffic" (ECE/TRANS/WP.1/165, para. 14). In March 2019, WP.1 extensively discussed how to incorporate high levels of automation (i.e., situations where there may not be a human driver inside a moving vehicle), including a possibility of developing a new convention to provide an international framework for vehicle automation (ECE/TRANS/WP.1/167, para. 24).
4. As a result of the subject's great importance, in consideration of the high interest expressed by governmental delegates to WP.1, and in order to serve the general need for international legal foundations of traffic rules to keep up with the fast changing vehicle technology, WP.1 has decided to set up a formal Group of Experts. The Group is to focus on this complex issue and draft the new legal instrument.
5. The Group of Experts will have the following terms of reference.

Annex

Terms of reference of the Group of Experts on drafting a new legal instrument on the use of automated vehicles in traffic

1. This Group of Experts is established to prepare a draft new legal instrument on the use of automated vehicles in domestic and international traffic.
2. The Group of Experts is established as per the “Guidelines for the establishment and functioning of teams of specialists” (ECE/EX/2/Rev.1).
3. The Global Forum for Road Traffic Safety (WP.1) is the Group’s parent body. The ECE secretariat will provide secretariat services as per the relevant ECE rules and regulations. The working languages of the Group shall be English, French, and Russian. This is subject, however, to the provision of UNOG Conference Management services, such as document processing and simultaneous translation.
4. The main output of the Group of Experts is to draft a new legal instrument which is expected to complement the 1949 and 1968 Conventions on Road Traffic. It will include, in addition to the typical sections on definitions and final clauses, a set of legal provisions for the safe deployment of automated vehicles in international traffic. These provisions will specifically aim to ensure road safety, in particular the safety of vulnerable road users.
5. The Group of Experts will have a two-year duration (with a possibility of extension), starting as of 1 July 2021. The Group’s rules of procedure are contained in the “Guidelines for the establishment and functioning of teams of specialists” (ECE/EX/2/Rev.1) as well as in other applicable ECE documents.
6. The Group of Experts is established without the need for additional resources. Support work will be provided within the existing capacities of the ECE secretariat. UNOG resources will be used for simultaneous interpretation, document translation, and conference services.
7. The Group of Experts shall periodically consult with the Global Forum for Road Traffic Safety (WP.1). The number of formal consultations will not be fewer than two per year (coinciding with the regular WP.1 sessions).
8. The Group will hold at least two formal plenary meetings per year at the ECE premises in Geneva (assuming there are no extraordinary measures related to COVID-19). In between the formal sessions, the Group may choose its own *modus operandi*.
9. The Group of Experts will – upon completion of its task - submit the complete draft new legal instrument to its parent body for consideration and decision.
10. In conformity with the “Guidelines for the establishment and functioning of teams of specialists” (ECE/EX/2/Rev.1), participation in the work of the Group will be limited to representatives officially nominated by the governments of the Contracting Parties to the 1968 Convention on Road Traffic and those of the 1949 Convention on Road Traffic.
11. It is highly recommended that the representatives nominated as per paragraph 10 have professional experience in road safety, traffic law, and/ or transport policy. Nominations of representatives with academic and/or research experience in road safety, traffic law, and / or transport policy are also suitable. In addition, governments may consider nominating professionals whose expertise complements the qualifying expertise mentioned in this paragraph.