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ECONOMIC COMMISSION FOR EUROPE

INLAND TRANSPORT COMMITTEE

Joint ECMT/UNECE Working Party/Group on Intermodal Transport and Logistics¹

UNECE Working Party on Intermodal Transport and Logistics

**REPORT
OF THE WORKING PARTY AT ITS FORTY-SECOND SESSION²
(Kiev, 29 September 2004)**

ATTENDANCE

1. The session was attended by representatives of the following countries: Austria; Belgium; Bulgaria; Czech Republic; France; Germany; Hungary; Poland; Portugal; Romania; Russian Federation; Serbia and Montenegro; Slovakia; Switzerland; Ukraine. The European Conference of Ministers of Transport (ECMT) was represented as well as the following non-governmental organizations: International Road Transport Union (IRU); International Union of Railways (UIC); Europlatforms; International Multimodal Transport Association (IMMTA); European Association for Forwarding, Transport, Logistics and Customs Services (CLECAT).

¹ The UNECE and ECMT have adopted cooperative arrangements in establishing the “Joint ECMT/UNECE Working Party/Group on Intermodal Transport and Logistics” consisting of separate ECMT and UNECE segments, the UNECE segment consisting of its Working Party on Intermodal Transport and Logistics (WP.24).

² Official documents as well as other information relating to the activities of the Working Party are available on the relevant UNECE web site: www.unece.org/trans/wp24/welcome.html.

ADOPTION OF THE AGENDA

2. The Working Party adopted the provisional agenda prepared by the secretariat (TRANS/WP.24/104).

ADOPTION OF DECISIONS TAKEN AT THE FORTY-FIRST SESSION

3. The Working Party adopted the decisions taken at its forty-first session as prepared by the UNECE secretariat, in cooperation with the Chairman (TRANS/WP.24/103 and Corr.1).

STRATEGIC OBJECTIVES OF THE INLAND TRANSPORT COMMITTEE

4. The Working Party took note of the strategic objectives adopted by the Inland Transport Committee (ITC) (TRANS/2004/18). Reviewing document TRANS/2004/19, the Working Party felt that its programme of work, adopted at its fortieth session (TRANS/WP.24/101) and subsequently approved by the ITC in February 2004 (ECE/TRANS/156/Add.1), was in line with the strategic objectives of the ITC. It decided, however, to add to this programme specific references to “transport safety and security” as well as to “globalization of the world economy” and to amend the description of its programme activities accordingly when considering the programme of work for the period 2006 to 2010 in autumn 2005.

5. In this context, the Working Party regretted that, in spite of the efforts made by the secretariat, the late availability of documentation in the three working languages of the UNECE continued to have a negative impact on its efficient functioning.

EUROPEAN AGREEMENT ON IMPORTANT INTERNATIONAL COMBINED TRANSPORT LINES AND RELATED INSTALLATIONS (AGTC)

(a) Status of the AGTC Agreement

6. The Working Party noted that, at present, the AGTC Agreement has 26 Contracting Parties³.

7. The up-to-date and consolidated text of the AGTC Agreement is contained in document ECE/TRANS/88/Rev.2 and is available at the web site of the Working Party in English, French and Russian (<http://www.unece.org/trans/wp24/welcome.html>). It should be noted that only the text kept

³ Austria; Belarus; Belgium; Bulgaria; Croatia; Czech Republic; Denmark; France; Georgia; Germany; Greece; Hungary; Italy; Luxembourg; Kazakhstan; Netherlands; Norway; Poland; Portugal; Republic of Moldova; Romania; Russian Federation; Slovakia; Slovenia, Switzerland and Turkey.

in custody by the Secretary-General of the United Nations in his capacity as depositary of the AGTC Agreement constitutes the authoritative text of the Agreement. This web site also contains all relevant Depositary Notifications issued by the Legal Office of the United Nations, including those relating to the so far four amendments to the Agreements that have come into force on 25 June 1998, 1 February 2001, 18 December 2001 and 16 April 2004 respectively.

(b) Status of amendment proposals adopted by the Working Party

8. The Working Party noted that the amendment proposals proposed by the Russian Federation and adopted by the Working Party at its forty-first session (TRANS/WP.24/103/Corr.1) have been circulated by the Depositary on 6 July 2004 (Depositary Notification C.N.724.2004.TREATIES-1). The period for objections will expire on 6 January 2005 (for further details refer to: www.unece.org/trans/wp24/depnot.html).

(c) New amendment proposals

9. With a view to updating the AGTC Agreement and to extending its geographical scope, including important Euro-Asian transport links, the Working Party considered in detail amendment proposals to Annexes I and II of the AGTC Agreement as compiled and consolidated by the secretariat (TRANS/WP.24/2004/6).

10. Noting that some of the required information, particularly with regard to the location of important terminals, had not yet been forthcoming, the Working Party invited concerned countries to transmit this information as soon as possible to the secretariat in order to be able to formally adopt these amendment proposals (in accordance with article 15 of the AGTC Agreement) at its forthcoming session in March 2005. In this context, the importance of developing a coherent pan-European network, covering also that of the OSZhD and proving, in particular, a consistent numbering system of combined transport lines, was stressed.

11. Reviewing a draft map of the extended AGTC network, the Working Party requested the secretariat to finalize this map following adoption of the amendment proposals and to publish it in an electronic and hard copy form.

(d) Inventory of AGTC standards and parameters

12. The Working Party noted that, as requested, the secretariat has transmitted pre-filled questionnaires to all Contracting Parties for the collection of 2002 data relating to the AGTC Agreement and to the relevance of the infrastructure and performance standards and parameters contained therein ("Yellow Book"). By 1 September 2004, the following countries have transmitted the requested information: Austria; Belgium; Bulgaria; Croatia; Czech Republic; Denmark; France;

Germany; Hungary; Portugal; Romania; Russian Federation; Serbia and Montenegro; Slovenia; Switzerland. The Working Party invited all countries that had not yet transmitted the required information to the secretariat, particularly regarding the questionnaire on the relevance of present standards and parameters in the AGTC Agreements, to do so as soon as possible.

13. The Working Party felt that it was of particular importance to analyse the coherence between the technical infrastructure parameters of the AGTC and AGC Agreements, the Trans-European and Pan-European transport networks and with the infrastructure standards of access to national rail networks as prescribed in European Directive 2001/14/CE and to examine, if necessary, their harmonization in the longer term.

14. The Working Party was informed about the current work undertaken by the secretariat to insert all data received into an electronic data base that would allow a comparative analysis of infrastructure and performance data among participating countries and along specific international combined transport lines (C-E lines).

PROTOCOL ON COMBINED TRANSPORT ON INLAND WATERWAYS TO THE AGTC AGREEMENT

15. The Working Party recalled the request made by the Inland Transport Committee to undertake an analysis of the reasons that have led to the non-acceptance of a number of international legal instruments, including the Protocol to the AGTC Agreement (ECE/TRANS/156, para. 29). To this effect, the secretariat will address a communication to Contracting Parties to the AGTC Agreement with a view to inquiring on the future course of action.

16. The Protocol has been ratified so far by seven countries, but is not yet in force⁴. Its text is contained in document ECE/TRANS/122 and Corrs.1 and 2 and is also available at the web site of the Working Party in English, French and Russian (<http://www.unece.org/trans/wp24/welcome.html>).

DEVELOPMENT OF COMBINED AND INTERMODAL TRANSPORT AT THE PAN-EUROPEAN LEVEL

17. The Working Party noted that the objective of its work on “model” action plans and partnership agreements is to identify “good practices” and establish “benchmarks” to assist Contracting Parties to the AGTC Agreement and all actors involved in international intermodal transport services to cooperate with each other at the policy as well as at technical and commercial

⁴ Bulgaria; Czech Republic; Denmark; Luxembourg; Netherlands; Romania; Switzerland.

levels with a view to improving the competitiveness of international intermodal transport services in the region.

18. As requested, the ad hoc expert group of the Working Party has prepared document TRANS/WP.24/2004/5 containing detailed “model” action plans, partnership agreements and performance indicators as well as an analysis of possible ways and means of ensuring visibility and effective application of these good practices and benchmarks for intermodal transport. Finally, the expert group has prepared possible amendment proposals to the AGTC Agreement as well as a draft resolution for adoption by the ITC and endorsement by the Council of Ministers of ECMT.

19. The Working Party felt that it was not yet in a position to take a final decision on the large number of proposals made by the expert group. It decided, however, to opt, at that stage, for the preparation of a recommendation or resolution to be adopted by the Working Party that could subsequently be endorsed and/or approved by the ECMT and ITC. The secretariat was requested to prepare such a draft recommendation/resolution for consideration by the Working Party at its next session in March 2005. In addition, a document describing in detail possible amendment proposals to the AGTC Agreement, with a view to facilitating considerations in the Working Party and in the ITC, might also be established.

MONITORING OF WEIGHTS AND DIMENSIONS OF LOADING UNITS IN INTERMODAL TRANSPORT

20. The Working Party recalled that the ISO Technical Committee TC 104 had considered the possible standardization of 45 ft containers and had requested UNECE to clarify the applicability of ITC resolution No. 241 of 5 February 1993 on “Increasing Dimensions of Loading Units in Combined Transport”. On the basis of secretariat document TRANS/WP.24/2004/4, the Working Party, at its forty-first session, considered the text of this resolution as well as related information on a similar resolution adopted at the second global Seminar on the Impact of Increasing Dimensions of Loading Units on Combined Transport (Geneva, 1-4 September 1992). Noting that, in most European countries, the length of the ISO-considered 45 ft container would conflict with national road transport regulations that were not likely to be modified to allow the transport of such loading units on a regular basis, the Working Party requested the secretariat to consult with UNECE member States with a view to obtaining a representative opinion on the ISO proposals to standardize maritime containers with the following dimensions: 45’ x 8’ x 9’6” (Length x Width x Height) (TRANS/WP.24/103, paras. 21-23).

21. The Working Party invited those countries that had not yet informed the secretariat of their position, to do so as soon as possible so as to allow the secretariat to prepare a document on this subject for consideration by the Working Party at its forthcoming session.

RECONCILIATION AND HARMONIZATION OF CIVIL LIABILITY REGIMES GOVERNING INTERMODAL TRANSPORT

22. The Working Party was informed of progress made by the United Nations Commission on International Trade Law (UNCITRAL) in the preparation of an international instrument on maritime transport that would also extend to all contracts of carriage involving a sea leg, including short-sea shipping and port hinterland transport by road, rail or inland water transport. The secretariat was requested to provide more detailed information on the status of this work at its next session, in particular on the results of the session of the UNCITRAL Working Group on Transport Law (Vienna, 29 November –10 December 2004).

DATE OF NEXT SESSIONS

23. The Working Party decided to hold its next session on 8 March 2005 in Paris, in conjunction with the session of the ECMT Working Group on Intermodal Transport and Logistics (7 March 2005).

24. The forthcoming autumn session of the Joint ECMT/UNECE Working Party/Group is scheduled to be held at the Palais des Nations in Geneva during the period 26 to 28 September 2005.

SUMMARY OF DECISIONS TAKEN

25. As agreed and in line with the decision of the ITC (ECE/TRANS/156, para. 6), the UNECE secretariat, in cooperation with the Chairman, has finalized the present report on the outcome of the session of the Working Party.
