



OTIF/RID/CE/GTP/2021/1

27 May 2021

Original: French

RID: 13th Session of the RID Committee of Experts' standing working group
(Geneva, 15 to 19 November 2021)

Subject: 109th session of WP.15 (Geneva, 4 to 7 May 2021)

Transmitted by the Secretariat

Extracts from the draft report of the 109th session of WP.15 (Geneva, 4 to 7 May 2021)
(document ECE/TRANS/WP.15/253)

I. Organizational matters and attendance

1. The Working Party on the Transport of Dangerous Goods held its 109th session from 4 to 7 May 2021, with Ms. A. Roumier (France) as Chair and Mr. A. Simoni (Italy) as Vice-Chair.

A. Organizational matters

2. Owing to a combination of COVID-19 response measures, financial constraints triggered by the United Nations liquidity crisis, ongoing renovation work at the Palais des Nations under the strategic heritage plan and technical constraints related to the number of meeting rooms available for hybrid meetings, the share of meetings with interpretation allocated to the Economic Commission for Europe was reduced from three meetings per day to just one per day for the first half of 2021. Taking into account those factors and the quarantine and travel restrictions in force, and after consultation with the secretariat and conference services of the United Nations Office at Geneva, the officers of the Working Party agreed to adapt the format of the 109th session.
3. Accordingly and taking into account that some documents could not be discussed in informal meetings, the session initially scheduled from 3 to 7 May 2021 was held from 4 to 7 May 2021, in a hybrid format, with the possibility of participation online or in person. The Working Party met in informal meetings without interpretation and in formal hybrid meet-

ings according to the schedule presented in informal document INF.14. During hybrid formal meetings, the Working Party was able to take decisions on the proposals and adopt the draft report of the meeting.

4. Several non-English-speaking delegations expressed their regret that only a limited number of formal meetings with interpretation were available. The Working Party agreed that this situation had an impact on the effectiveness of its work. The Working Party wished to recall that the autumn session of the Joint Meeting and the 110th session of the Working Party would be the last sessions of the biennium during which the complete list of amendments to enter into force on 1 January 2023 would be finalized and adopted. It will be necessary to have available for these meetings all the official meetings with interpretation, as planned in the draft programme of work of the Transport subprogramme for 2021 (ECE/TRANS/2021/8) adopted by the Inland Transport Committee and approved by the Executive Committee at its 115th session (see EXCOM/CONCLU/115).

B. Attendance

5. Representatives of the following countries took part in the session: Austria, Belarus, Belgium, Denmark, Finland, France, Germany, Italy, Latvia, Netherlands, Norway, Poland, Portugal, Republic of Moldova, Romania, Russian Federation, Slovakia, Slovenia, Spain, Sweden, Switzerland, Turkey and United Kingdom.
6. The European Union was represented.
7. The following intergovernmental organization was represented: Intergovernmental Organisation for International Carriage by Rail (OTIF).
8. The following non-governmental organizations were represented: European Chemical Industry Council (Cefic); European Conference of Fuel Distributors (ECFD); European Industrial Gases Association (EIGA); FuelsEurope; International Organization of Motor Vehicle Manufacturers (OICA); International Road Union (IRU) and Liquid Gas Europe.

II. Opening of the session

9. Mr. Dmitry Mariyasin, Deputy Executive Secretary of ECE, opened the session and welcomed all participants. He stressed the importance of ADR, particularly at a time of the coronavirus disease (COVID-19) pandemic when transport of dangerous goods for medical use must continue to be ensured under the best possible conditions. He welcomed the measures taken by the competent authorities in this regard, including the signing of multi-lateral agreements with a view to ensuring continuity of service within a legal and institutional framework and with sufficient security guarantees. He also emphasized the importance of the work on the use of battery electric vehicles and hydrogen fuel cell vehicles for the transport of dangerous goods within the framework of energy transition.

(...)

V. Status of the Agreement concerning the International Carriage of Dangerous Goods by Road (ADR) and related issues (agenda item 3)

14. The Working Party noted that 13 countries (Azerbaijan, Belarus, Bosnia and Herzegovina, Croatia, Georgia, Iceland, Kazakhstan, Montenegro, Morocco, Nigeria, North Macedonia, San Marino and Tajikistan) had not yet deposited the required instruments for the Protocol of 1993 amending article 1 (a), article 14 (1) and article 14 (3) (b) of ADR to enter into force and encouraged them to take the necessary measures to ratify or accede to it so that it could do so.

VI. Work of the RID/ADR/ADN Joint Meeting (agenda item 4)

Document: [ECE/TRANS/WP.15/AC.1/158](#) (Report of the Joint Meeting on its autumn 2020 session)

Informal document: [INF.11](#) (Sekretariat)

15. At the previous session, several delegations wished to have more time to study the European Union's multimodal guidelines (Inland TDG Risk Management Framework) before adopting the addition of a non-binding reference to those guidelines in 1.9.4. Some delegations reiterated that they considered it premature to add this reference in ADR, as these guidelines were still being developed and would need to be updated with new data. It was recalled that the use of these guidelines would be non-binding. The Working Party adopted the amendment to 1.9.4 contained in annex II to document ECE/TRANS/WP.15/AC.1/158 (see annex I) and invited delegations wishing to reconsider this amendment to transmit their comments to the Joint Meeting.
16. The Working Party endorsed the amendments adopted by the Joint Meeting at its spring 2021 session, as contained in informal document INF.11 in English, French and Russian with some editorial changes (see annex I). The amendments in square brackets will be confirmed at the 110th session after further discussion at the next session of the Joint Meeting.
17. The Working Party noted that the terms "consignor for the ADR carriage" still needed to be clarified in new 1.1.4.7 and that the OTIF secretariat would prepare a document on this point for consideration by the Joint Meeting at its next session.
18. The Working Party also recommended that some acronyms corresponding to French terms, included in the English version of the new section 1.2.3, could be accompanied with a reference to the corresponding French term as is done in the French version, for example for the acronym CSI. This would include the terms ADN, UIC and RID. The Working Party asked the secretariat to study the acronyms that might be involved in cooperation with the OTIF secretariat.

(...)

VIII. Interpretation of ADR (agenda item 6)

(...)

B. Application of multilateral agreements

Informal document: [INF.9](#) (Sweden)

47. There were differing views on the interpretation of multilateral agreements M333 and M334.
48. Some delegations considered that it was not possible for a driver holding an ADR certificate issued in a country that had not signed the M333 agreement to continue to carry dangerous goods in countries that had signed that agreement after the expiry of the validity date of that certificate. Similarly, they considered that a safety adviser holding a training certificate issued in a country that had not signed the M334 agreement could not continue to work for companies located in countries that had signed that agreement after the expiry of the validity date of that certificate.

49. On the contrary, other countries pointed out that the M333 and M334 agreements did not mention the country of issue of the certificates and therefore considered that a driver holding an ADR certificate issued in a country that had not signed M333 could continue to carry dangerous goods in the countries that had signed that agreement after the expiry of the validity date of that certificate. Similarly, they considered that a safety adviser holding a training certificate issued in a country that had not signed the M334 agreement could continue to work for companies located in countries that had signed that agreement after the expiry of the validity date of that certificate.
50. The Working Party noted those differences in interpretation and added that, if training sessions and examinations remained difficult to organize after 30 September 2021 and new agreements had to be put in place, their drafting should take account of those differences. However, the Working Party very much hoped that that exceptional situation caused by the outbreak of COVID-19 would not continue.

C. Clarification of 5.3.2.2.1

Informal document: [INF.13](#) (United Kingdom)

51. The representative of the United Kingdom noted the comments of the delegations that expressed their views.
52. It was recalled that the orange-coloured plate marking requirements had been harmonized between RID, ADR and ADN and that common specifications had been adopted by the Joint Meeting at its autumn 2005 session (see TRANS/WP.15/AC.1/100). The Working Party wished to bring up that issue up for discussion at the Joint Meeting if there turned out to be problems with implementation.

(...)

X. Any other business (agenda item 8)

A. Discrepancies between high consequence dangerous goods, table 1.10.3.1.2, in relation to Chapter 8.5, special provision S1 (6), and subsection 1.1.3.6

Informal document: [INF.8](#) and Add.[1](#) and [2](#) (Sweden and Norway)

56. The Working Party confirmed the need to clarify inconsistencies between Chapter 8.5 and 1.1.3.6 in the case of goods covered by Chapter 1.10. The Working Party invited the participants to examine the inconsistencies presented in addenda 1 and 2 to informal document INF.8 and to transmit their comments to the representatives of Sweden and Norway with a view to preparing proposals for amendments for consideration at the next session.
57. The Working Party also confirmed that table 1.10.3.1.2, list of high consequence dangerous goods, is the result of harmonization of ADR with the Model Regulations. The list of goods concerned may be modified according to the regional situation or the perceived level of threat at a given moment for a given mode of transport. However, the Working Party invited delegations wishing to propose amendments to this list to do so first to the Subcommittee of Experts on the Transport of Dangerous Goods. As a possible option, the representative from Norway suggested to consider replacement of the list in Chapter 8.5 S1 (6) with the list of high consequence dangerous goods under Class 1 in Table 1.10.3.1.2.

B. Rules of Procedure of the Working Party

Document: [ECE/TRANS/WP.15/2021/2](#) (Secretariat)

58. After discussion on the basis of the comparison prepared by the secretariat, the Working Party agreed that there was no need to amend its Rules of Procedure immediately. It may be useful to review the quorum and voting rules in the future. Delegations wishing to do so may present proposals for modification on the basis of the Rules of Procedure of the ITC.

(...)

XI. Adoption of the report (agenda item 10)

60. The Working Party adopted the report on its 109th session and its annexes on the basis of a draft prepared by the secretariat.
61. In accordance with the special procedures on decision-making for formal meetings with remote participation adopted by the Executive Committee (ECE/EX/2020/L.12), the decisions contained in annex III¹ were published and notified to all the permanent missions in Geneva. After publication, no objections were received. The decisions are deemed adopted.

¹ This annex is not reproduced in this document.

Texts adopted by the 109th session of WP.15 (Geneva, 4 to 7 May 2021)

The 109th session of WP.15 (Geneva, 4 to 7 May 2021) adopted amendments that have repercussions for RID and which are therefore reproduced below. Amendments that only concern ADR or which have already been taken into account in document [ECE/TRANS/WP.15/AC.1/160](#) are not shown. The amendments are already worded as they would have to be if adopted for RID.

Draft amendments to annexes A and B of ADR for entry into force on 1 January 2023

Chapter 1.1

1.1.4.7.1 In the second paragraph, insert square brackets around “The consignor for the RID carriage”.

1.1.4.7.2 In paragraph (d), insert square brackets around “The consignor for the RID carriage”.

Chapter 1.6

1.6.4.56 Insert square brackets around the amendment.

Chapter 3.3

SP 363 At the end of the note, replace “is permitted” by:
“are permitted”.

SP 593 [The modification in the French version does not apply to the English text.]

Chapter 6.8

6.8.2.1.23 [The modification in the French and German version does not apply to the English text.]

6.8.2.2.2 [The modification in the French version does not apply to the English text.]

6.8.2.2.4 [The modification in the French version does not apply to the English text.]

Chapter 7.4

7.4.1 [The modification in the French version does not apply to the English text.]
