

# Concept Note

Lebanon National Training Workshop on the European  
Agreement concerning the Work of Crews of Vehicles  
Engaged in International Road Transport (AETR)

*Gefinor Rotana Hotel  
Beirut, Lebanon  
12-13 September 2017*



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# 1. Background

The Ministers responsible for Transport of the Union for the Mediterranean (UfM) have agreed on the importance of Euro-Mediterranean transport cooperation founded on the two complementary pillars: (i) regulatory reform and convergence in all relevant different transport sectors (maritime, civil aviation, road, railway and urban transport); and (ii) establishment of the future Trans-Mediterranean Transport Network (TMN-T), to be connected with the Trans-European Transport Network (TEN-T). To this end, two Regional Transport Action Plans (RTAPs) have been elaborated by the Euro-Mediterranean Transport Forum for the Mediterranean Region, the first RTAP concerning 2007-2013 and the new one for the period 2014-2020.

In order to complement the work of the EuroMed Transport programme in the land transport sector and assist the implementation of the RTAPs, the European Union has launched two EuroMed Regional Transport Projects:

- The “Road, Rail and Urban Transport” (EuroMed RRU) that lasted 5 years (2012-2016), aimed at supporting the implementation of the Trans Mediterranean Transport Network (TMT-N) by developing appropriate regulatory framework and operational conditions to facilitate cross-border transport, to enhance land transport safety and to promote sustainable and efficient urban transport.
- The new one, “EuroMed Transport Support Project”, started in January 2017 and will last 4 years, aiming to increase the sustainability and performance of transport operations in the Mediterranean region through increased safety in transport operations; increased efficiency / lower costs of transport; lower environmental impact of transport, thus contributing to regional economic integration, economic well-being and job creation. The project covers Algeria, Egypt, Israel, Jordan, Lebanon, Libya, Morocco, State of Palestine and Tunisia.

Action 9 of the 2014-2020 RTAP for the Mediterranean Region calls upon the EuroMed Partner countries adhere to and effectively implement the main United Nations road transport Agreements and Conventions. With the exception of Morocco and Tunisia, that are Contracting Parties to most of the main UNECE Road Transport Agreements, other EuroMed countries have not yet adhered to many of them and are not benefiting from their provisions. Lebanon is among them, having acceded to only two of the main UN road transport legal instruments. Moreover, Lebanon did not benefit from the TA efforts made by the EuroMed RRU project during the past five years through provision of TA, organization of awareness raising and training events, analytical work and study tours on these agreements.

During a formulation mission in Beirut, held from 24 to 26 January 2017, aimed at identifying the priority activities under the ETSP of interest to Lebanon which the project may develop, it was agreed, inter alia, that TA and training to accede to AETR, implement the AETR Road Map



(as prepared under EuroMed RRU Project) and support the opening of AETR to Lebanon, would be among the priority activities of ETSP for the country.

In view of the interest of Lebanon to accede the AETR Agreement, at the 79th Session of the Inland Transport Committee (ITC), held in Geneva in February 2017, in which EuroMed Partner countries participation was facilitated by the ETSP, the Head of Lebanese delegation and National Coordinator of EuroMed Transport project, informed the participants that Lebanon is interested in acceding to and fully implementing the AETR Agreements and requested the ITC to support the opening of this Agreements to it. Moreover, at the 15th Session of the Group of Experts of the European Agreement Concerning the Work of Crews of Vehicles Engaged in International Road Transport (AETR), held in Geneva, on 12 June 2017, Mr. Hani CHAAR, Adviser, Permanent Mission of Lebanon, Geneva, Switzerland, delivered a Statement on behalf of H.E. the Minister of public Works and Transport of Lebanon Mr. Youssef Fenianos, seeking the approval of the Contracting Parties to the AETR Agreement for its opening for accession to Lebanon.

Activity 1A.2.1 consists of the organization of a two-day national training event on AETR and TA to Lebanon, tentatively scheduled to take place in Beirut on 12-13 September 2017, aimed at presenting the main provisions and benefits of the AETR Agreement and facilitate the participation of Lebanon (and possibly Egypt) to the respective UNECE intergovernmental body administering the AETR Agreement in Geneva.

This demand driven activity, based on the priorities identified in the RTAP 2014-2020, is regarded as a natural continuation of the Awareness Raising Workshop on Main UN Road Transport Agreements administered by the UNECE which was held in Beirut in May 2017 under the ETSP, to be also followed by other dedicated national training events and activities relating to ADR, ATP, Vehicle Regulations and Intelligent Transport Systems (ITS), that would provide the officials at the Ministries, the state companies and the private sector involved, the necessary technical backstopping and information on the accession and practical implementation and monitoring of these Agreements and practices.

## 2. Objective of the event

The general objective of the proposed activity is to support the opening of the AETR Agreement to Lebanon (and possibly to Egypt) and assist Lebanon adhere to and effectively implement it.

The specific objective is to provide necessary technical assistance and institutional capacity building to competent authorities to adopt national legislation to the provisions and practices provided in the AETR Agreement and effectively implement them in their national and international road transport operations. More precisely, the event will offer the opportunity for:

- Presentation of the European-Agreement concerning the Work of Crews of Vehicles Engaged in International Road Transport (AETR), 1970 Objectives-key provisions-benefits;
- Highlighting the importance of adherence to the AETR Agreement to improve the road safety performance of professional drivers of trucks and coaches as well as the social and competition aspects relating to the subject;
- Define the possible scenarios for the development of the digital tachograph in Jordan, taking into account the eventual accession of Lebanon to AETR;
- Identify the impact from accession to AETR to other related organizations and legislation;
- Estimate the organizational and financial costs of the introduction of the digital tachograph in Lebanon with regard to each scenario;
- Indicate the road map for the development of the digital tachograph in Lebanon;
- Identify the way forward

### 3. The AETR Agreement

Driver fatigue is known to increase the risk of serious road accidents. Moreover, non-standardized working hours may create disparities in the working conditions of professional drivers and may impact a company's competitive.

**The European Agreement concerning the Work of Crews of Vehicles engaged in International Road Transport (AETR), of 1970**, aims at preventing drivers and crews of commercial vehicles of more than 3.5 tons, or transporting more than 9 people, engaged in international road transport, from driving excessive hours. Driver fatigue is known to increase the risk of serious road accidents. Non-standardized working hours may create disparities in the working conditions of professional drivers and may impact a company's competitive. To this end, the AETR regulates the driving times and rest periods of professional drivers. The Agreement also defines control devices that are used to control those periods, and sets up technical requirements for the construction, testing, installation and inspection of these devices. Additionally, the AETR also sets up requirements for the checking of driving hours by competent authorities. By regulating the driving times and rest periods of drivers of commercial vehicles engaged in international transport, the AETR creates a level playing field in the road haulage industry and helps prevent road accidents. Contracting Parties at 7 March 2012: 51 States.

**At EU level, the same subject matter is governed by** Council regulation 543/69 of 25 March 1969, which standardized the driving and rest periods for professional drivers. Council Regulation 3821/85 governs the rules on the use of the digital tachograph. The mandatory use of the digital tachograph was introduced in the EU in 2006 on the basis of Council Regulation

(EC) 2135/98 that amended Council Regulation (EEC) 3821/85 and Council Directive 88/599/EEC. Commission Regulation (EC) 1360/2002 introduced all technical requirements for the digital tachograph and tachograph cards. New Council Regulations (EU) 2014/165 and (EU) 2016/799 has been published in order to improve the tachograph system capacity from June 2019. Till July 2016, the AETR Agreement was not open for accession to non UNECE member States.

Taking note of the vital importance of this Agreement for EuroMed countries, EuroMed RRU project conducted focused national demand driven training events on the AETR Agreement in four Partner countries notably Algeria, Egypt, Jordan, Morocco and Tunisia under its TA work plan. At that time AETR Agreement was not open for accession to non UNECE member States. Following these events, Algeria, Jordan, Morocco and Tunisia expressed willingness in implementing the AETR and the digital tachograph in their international and domestic transport. Thus, the emerging issue for EuroMed Partner countries was how to become Contracting Parties to AETR and benefit from its provisions and established widely harmonized frameworks.

## **4. The EuroMed Partner country efforts for the opening of the AETR**

An official letter signed by H.E. Ms. Lina Shbeeb, Minister of Transport, Jordan, was addressed to H.E. Mr. Sven Alkalaj, Executive Secretary, UNECE on 30 December 2013 asking UNECE's support for the opening of the AETR Agreement to Jordan and other countries from the region. In his reply to the Jordanian Minister, Mr. Alkalaj, informed on the readiness of UNECE to support such a request and invited Mrs. Shbeeb, to the 76<sup>th</sup>

session of the ITC in Geneva. The Jordan Minister of Transport, under the support of the EuroMed RRU project, actively participated at the 76<sup>th</sup> session of the ITC in Geneva, on 25-27 February 2014 accompanied by the Jordan National Coordinator and the EuroMed Road Transport KE, followed by EuroMed country experts' (Algeria, Jordan, Morocco and Tunisia) participation to the 7th, 8th and 9th sessions of the AETR Group of Experts, in Geneva and the 109th session of the Working Party on Road Transport (SC.1) in 2014.

In all occasions EuroMed delegation raised awareness amongst the participating European government delegates on the benefits from modifying AETR Article 14; stressed the importance of such a modification to EuroMed countries; explained the urgency of the matter; and requested the AETR Contracting Parties to take immediate actions and the UNECE Secretariat's support. The AETR Expert Group decided to support the opening of the Agreement to Algeria, Jordan, Morocco and Tunisia by revising Article 14 which currently limits accession to the AETR only to UNECE member States. The Expert Group agreed on the wording of an amendment proposal and invited an AETR Contracting Party to formally propose the amendment proposal

at the earliest opportunity. At its 109<sup>th</sup> session SC.1 adopted the proposed modification of the Article 14 that reads as follows:

**Article 14: "1. 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, Jordan, Morocco and Tunisia."**

Following these results:

**On 14 November 2014, an official letter signed by the Minister of Transport of Morocco** was addressed to the Minister of Transport of Turkey, requesting the Government of Turkey to proceed with the formal proposal for the modification of Article 14 opening AETR Agreement. Three more similar letters from Algeria, Jordan and Tunisia, respectively, followed soon.

**On 11 February 2015, the Governments of Turkey and Ukraine communicated to the Secretary-General of the United Nations the text of a proposed amendment to article 14 of the AETR**, in accordance with paragraph 1 of article 21 of the AETR Agreement, which was adopted by the Working Party on Road Transport (SC.1) at its one-hundred-and-ninth session (ECE/TRANS/SC.1/402, paragraph 14) held in Geneva on 28 and 29 October 2014.

**On 18 February 2015, the Secretary-General of the United Nations, acting in his capacity as depositary, communicated a Depositary Notification** to the Contracting Parties of the Agreement concerning a proposal of amendment to article 14 of the AETR Agreement. The text of the proposed amendment that was attached to this depositary notification, identical to the text supported by the respective intergovernmental body of the UNECE in October 2014, can be found in document ECE/TRANS/SC.1/402 on the UNECE Transport Division website at the following address: <http://www.unece.org/trans/main/sc1/sc1rep.html>. If no objection to the proposed amendment was stated by a Contracting Party within six months, then the amendment should be deemed as accepted and should enter into force in three months i.e. on 18 November 2015.

**On 28 August 2015 Mr. Robert Nowak**, Secretary, UNECE Working Party on Road Transport (SC.1), concerning the "Depositary Notification", informed EuroMed RRU Project on the communication of 7 May 2015, of the Government of the Kingdom of the Netherlands notifying the Secretary General, pursuant to article 21(2)(b) of the Agreement, that although it intends to accept the proposed amendments to Article 14 of the AETR, transmitted by C.N.136.2015.TREATIES-XI.B.21 of 18 February 2015, the conditions necessary for such acceptance were not yet fulfilled in the Kingdom of the Netherlands. In view of these developments, an additional nine months had to be added to the period of six months, as of 18 August 2015, to find out if there are no objections to the amendment proposal. However, it was clear that the said notification of the Netherlands was not a rejection since it said that ".... the Netherlands intends to accept this amendment proposal", something that was already known

to EuroMed RRU team unofficially, since February of the same year, as in the case of the Netherlands such an amendment would need the approval of the Parliament. In view, of the fact that the original six-month period had already expired a week before the communication of the UNECE, it was reasonable to assume that no Contracting Party objected (if they had, then UN Office of Legal Affairs would not need to wait another nine months).

**In his message of 19 April 2016 to the EuroMed National Coordinators the Team Leader and Road Transport Key Expert wrote:** «I am delighted to inform you of the successful completion of the necessary procedures for the acceptance of the amendment of Article 14 of the AETR Agreement for its opening to Algeria, Jordan, Morocco and Tunisia. Please note that in its communication of 5 April 2016, the Government of the Kingdom of the Netherlands notified the Secretary General that it has met the necessary constitutional requirements for the acceptance of the proposed amendment. As a result, and since the Kingdom of the Netherlands was the only Contracting Party to have sent a communication pursuant to article 21 (2) (b), **the proposed amendment is deemed to be accepted and will enter into force on 5 July 2016.** Depositary Notification C.N.160.2016.TREATIES-XI.B.21”.

The implementation of digital tachograph is a demanding task requiring high technical expertise, strict rules and well-functioning systems at national and international levels. JRC is the laboratory for the digital tachograph interoperability and the European root certification authority for AETR countries. JRC does not service countries that are not parties to AETR, even if, conceivably, they use a tachograph system. Several EuroMed Partner countries including Algeria, Morocco and Tunisia are considering implementing digital tachograph for their domestic transport as well. The emerging issue for EuroMed Partner countries in this regard is how to become Contracting Parties to AETR and benefit from its provisions and established widely harmonized frameworks or in the interim period how they can develop national systems that are fully harmonized with existing ones.

## 5. Time and Venue

**Time:** Tuesday 12 and Wednesday 13 September 2017.

**Venue:** Gefinor Rotana Hotel, Beirut.

## 6. Target Groups

- ▶ National EuroMed Transport Coordinator
- ▶ Representative(s) of the EU Delegation
- ▶ Invited experts from the MOT of Palestine



- ▶ Officials from the Ministry of Transport and other Ministries/Agencies dealing with the subject matter
- ▶ National/local organizations involved in the field of Road Transport of passengers and goods
- ▶ Road transport professionals and operators (such as road freight transport companies, public transport companies, particularly those engaged in the carriage intercity and international transport)
- ▶ Any other organizations relevant to Road Transport
- ▶ EuroMed Road Transport Support Project Key Expert and AETR Non-Key Expert
- ▶ Invited international speakers UNECE, UNESWA, Digital Tachograph Manufacturers, others

It is recommended to limit the number of participants to 25 in order to ensure interactivity of the sessions and involvement of all in the discussions.

## 7. Organization and funding

The two-day national workshop on AETR is scheduled to take place in Gefinor Rotana Hotel Beirut, on 12-13 September 2017. The Ministry of Public Works & Transport will provide some conference facilities (secretariat and material printing, and will send invitations).

EuroMed TSP will cover catering and all other conference facilities as well as the travel cost of the international invited experts. The event will be held in English and Arabic and simultaneous interpretation will be provided.

In view of the specific request of the Palestinian Ministry of Transport, subject to Lebanese consent, EuroMed TSP will invite two Palestinian experts to attend the event, preferably H.E. Mr. Ammar Yassin, Deputy Minister of Transport and Mr. Yousef Darawshi, Vice General Traffic Controller, Palestinian Ministry of Transport, and cover their travel and accommodation costs.

In view of the importance of women engagement with the project, participation of women will be encouraged.

## 8. Training material

Training materials will be posted in the project's website accessible to all participants. These will be as follows:

- ▶ AETR Agreement
- ▶ EU Regulation n°. 3821/85 modified

- ▶ EU Regulation n°. 561/2006
- ▶ EU regulation n°. 1266/2009
- ▶ The Commission's Recommendation 2010/19/UE (Tachonet)
- ▶ Control Officer Training on Regulation EU n°. 561/2006
- ▶ Advocacy paper on Main United Nations Road Transport Agreements
- ▶ PPPs

Participants in the training will receive a Certificate of Attendance.

## 9. Indicators

OVI (Objectively Verifiable Indicator)	Source of verification
By the end of the project, Lebanon has acceded the AETR Agreement or have made progress towards its accession	Communications by the country or from UNECE secretariat and from the EuroMed TSP reports
The participants appreciated the event and considered it useful	Evaluation questionnaires and communications to EuroMed TSP by Lebanese authorities
Women engagement	Percentage of women experts' participation
RTAP support	Action 9: Adhere to and effectively implement the main United Nations road transport Agreements and Conventions.