

Evaluation of the global and regional impact of UNECE regulations and United Nations Recommendations on the transport of Dangerous Goods (2005 – 2014)

Progress report as at 31 December 2018

The evaluation report contains a number of recommendations that would have important budgetary implications. Therefore action on these recommendations cannot be agreed upon nor envisaged as long as decisions have not been taken in this respect.

Preliminary note 1: Staff resources (Dangerous goods and Special Cargoes Section)

(a) For maintenance of current activities (see report paragraphs 100, 101, 102, 104, 140 and management response comment on finding 16 and paragraph 107): In order to avoid current problems, the Sustainable Transport Division considers that it is necessary to upgrade the current P2 post in the Dangerous Goods and Special Cargoes Section to the P3 level, and that is advisable to upgrade one of the two P3 posts of the section to the P4 level;

b) For strengthening the activities and to allow the secretariat to perform additional tasks mentioned in the report (e.g. paragraphs 86, 105, 106, 107, 115, 136, 140, 141, 154, 157, and comment on paragraph 107 in the management response), two additional posts would be necessary.

Preliminary note 2: Training, technical cooperation, technical assistance, capacity-building

The evaluation report contain many recommendations regarding the development of training/technical cooperation, technical assistance, capacity-building activities. Currently, the Sustainable Transport Division with nearly exclusive reliance on the expertise of the Dangerous Goods and Special Cargoes Section and on the organisational management of the Transport Regional Advisor, provides technical assistance to governments as requested and as current resources allow. Recently more capacity building events, policy dialogues and round tables/ workshops have been organised to explain the UN Road Safety Conventions, whereas the three main pillars of focus include also transport of dangerous goods by road. With the political awareness raising by the UN SG Special Envoy for Road safety on the importance of ADR, we envisage that there will be a growing demand for in-depth policy dialogue and capacity building. The recent development of the ADR Road Map is meant to facilitate these activities and when written material is adequate, "bail-out" staff time. It also participates in technical assistance/technical cooperation activities organized by others (governments or organizations) as resources allow. However, further increasing such activities would require additional resources (both in terms of staff resources, travel and consultancy budget - regular and XB) as suggested under preliminary note 1 (b) above. However, so far, no requests have been received from any governments that would trigger immediate action for fund-raising for carrying out such TA activities. At the same time, it needs to be noted, that the current UNDA project - road safety performance review, may raise such demand and in that case, it will need to be explored if Division staff or hired consultants can do the job. Similarly, the recent Euoromed project funded by the EU, included policy dialogue and capacity building on TDG. In most cases the secretariat managed to participate and contribute, but in some cases acted as "match-maker" between the project and TDG experts, e.g. the WP.15 chair. In case of concrete government request and if proper staff resources were allocated to manage such activities, the secretariat would be pleased to consider additional action as suggested in the report:

- Fund-raising, since according to the questionnaire, some NGOs would be prepared to contribute;
- Considering whether resources generated by sales publications could be used for such purposes (to be checked by Executive Office) and under which conditions;
- Delivery and developing programmes and ensuring delivery.

See management response to conclusion/recommendation 5.

#	Recommendation	Action agreed	Responsibility	Target date/deadline	Date of implementation/comments
1	From the evidence of the questionnaire, and from the evidence provided by earlier UN studies and studies from other bodies that the UN Model Regulations on the Safe Transport of Dangerous Goods and the international modal transport Conventions are widely known throughout the globe and do form the basis of most transport legislation in this field. (124)	The conclusion does not call for follow-up action. However, it would be useful to monitor more precisely the status of implementation of the Recommendations on the Transport of Dangerous Goods worldwide (paras 17-26 of report) and comments on finding in management response, but no resources are available for this.	Dangerous Goods Section	Jul-17	The secretariat continues to monitor the implementation of the recommendations and legal instruments under its purview as time and resources allow. No extra resources have been provided to the secretariat for monitoring more precisely the status of implementation of the Recommendations on the Transport of Dangerous Goods worldwide. As usual at the end of the biennium of work of the ECOSOC bodies serviced by the section, the secretariat will draft the report to the Secretary General to ECOSOC on the implementation of the Model Regulations and on the GHS that contains, among other information, two sections on progress on implementation of these two instruments of global applicability. The secretariat will be providing information received from governments, IGOs, NGOs, UN agencies and programs or other trusted sources.
2	The provisions are widely applied through international, regional and national legislation. There remains further scope to ensure even wider application and, importantly, regular updates of legislation to apply the latest versions of the UN instruments. (124, 128)	The current UNECE activities related to international and regional legislation should be actively pursued and, if possible, strengthened.	Dangerous Goods Section	Jul-17	Same comment as above.
		The implementation of the United Nations Recommendations on the Transport of Dangerous Goods through national legislation and regular updating of such national legislation remains the responsibility of member States.	Governments	Continuous	<i>Not applicable</i>
		The current resources of the secretariat are not sufficient to deploy an awareness and capacity building exercise on the national implementation of the Recommendations on the Transport of Dangerous Goods, although the secretariat believes that this would be of great benefit for countries outside the UNECE region (see also Conclusion/Recommendation No. 5).	<i>Not applicable</i>	<i>Not applicable</i>	<i>Not applicable</i>
3	It has been demonstrated that UNECE can respond rapidly and effectively by working together with UN experts/contracting parties when faced with major new challenges. This is evidenced by the adoption and subsequent dissemination of new security provisions following the 9/11 attacks, the response to major accidents such as Bhopal in 1986 and Valu-Jet in 1996 and rapidly developing new technologies such as lithium batteries. (Table 6)	The conclusion does not call for follow-up action.	Dangerous Goods Section	<i>Not applicable</i>	<i>Not applicable</i>

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4	<p>Considerable effort has been made both by the Secretariat and participating bodies to promote better cooperation and understanding between the SCETDG and SCEGHS. The establishment by the Main Committee in 2014 of an experimental standing joint working group is a significant step forward to ensuring the transport is seen as an integral part of the SCEGHS.(61)</p>	<p>In order to avoid duplication of work and enhance cooperation between the TDG and GHS sub-committees, it is worth noting that both sub-committees addressed this issue in December 2014 and agreed to sharing meeting time (starting on July 2015) to discuss issues of common concern. Both subcommittees remain flexible and willing to adapt the programme of meetings.</p>	Dangerous Goods Section	Jul-17	<p>Since 2015, the TDG and the GHS Sub-Committees held 3 joint sessions: First session: 9 December 2015 (see ST/SG/AC.10C.4/60, Annex II) Second session: 5 July 2016 (see ST/SG/AC.10/C.4/62, Annex II) Third session: 3 July 2018 (see ST/SG/AC.10/C.3/106, paras 162 to 177). It is expected that this practice would continue in the future.</p>
5	<p>The UNECE Secretariat, together with the other relevant UN Secretariats, provides a universally well respected and highly professional performance in servicing the instruments for which they have the remit to support. However, there is little available facility to do much more than service meetings and prepare regulatory text revisions for publication. Outreach to governments and NGOs is on an ad-hoc and unstructured basis dependent on the availability and willingness of individuals within the Secretariat. This is despite the written intent to provide such support in a number of UN seminars and reports. This should be reviewed in particular the resource and budgetary issues need to reflect a world that relies on the UN Recommendations (97-107, 142-143)</p>	<p>According to the answers to the questionnaire: - No UNECE country expressed a need for support. The three countries expressing this need are non-UNECE developing countries. The secretariat has participated in several workshops and events on the subject of transport of dangerous goods and several countries from Africa, Asia and Latin America have expressed the need for support for the development and implementation of national regulations for the inland transport of dangerous goods. Unfortunately, these countries did not reply to the questionnaire. - No government has indicated willingness for contribution to a trust fund, but 5 NGOs have done so. When the secretariat receive official requests for support, the possibility of establishing a trust fund will be explored.</p>	Dangerous Goods Section	Jul-17	<p>(See preliminary notes 1 and 2)</p> <p>The secretariat did not receive any official request for support that would justify establishing a trust fund.</p> <p>Requests for technical assistance were received from countries that did not reply to the questionnaire, on an ad-hoc basis. Since 2015, the secretariat participated in workshops/seminars in Albania and Morocco in 2018; Croatia, China, Spain, Russian Federation, Belarus, Lebanon, Mongolia in 2017; Costa Rica, the Netherlands, Ecuador, Georgia and Egypt in 2016; and France, Spain, China, Kazakhstan and Ethiopia in 2015. These events were organised by Governments, NGOs or EU-funded programs and participation of the secretariat in many of them was conditioned to the availability of funds from organisers to cover the per-diem and travel expenses of the staff of the section participating in the event.</p> <p>For comments on staff resources refer to the comment under section 1.</p>
6	<p>Without a formal technical support programme it is difficult to envisage how the UNECE can impact greatly on the wider adoption and application of its various instruments. Whilst recognising the difficult budgetary issues that this raises (97- 107). Such a programme could offer training to government officials.(140-143)</p>		Not applicable	Not applicable	Not applicable

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7	The sustainable development of the world needs the transport of dangerous goods and whilst there is a universally and well respected secretariat they simply do not have the resource to help promote the rules they administer. More assistance is needed from ECOSOC or the General Assembly (140 - 143).	No action agreed	<i>Not applicable</i>	<i>Not applicable</i>	<i>Not applicable</i>
8	The provisions are widely applied through international, regional and national legislation. There remains further scope to ensure even wider application and, importantly, regular updates of legislation to apply the latest versions of the UN instruments. (124, 128)	Same as item 2 above	<i>Not applicable</i>	<i>Not applicable</i>	<i>Not applicable</i>
II/ 1	Some attention needs to be given to goods in the mail whether for international or domestic post. It is sensible that UPU and ICAO take a lead on this as a good starting point for such items are the passenger allowances in the ICAO TIs. The SCETDG should be kept informed because most mail will travel not only in vehicles but also railways and ships. Once a scheme has been identified it should be included as appropriate in the Model Regulations and the various modal documents (151)	Draw the attention of the ECOSOC Sub-Committee of Experts on the TDG to this recommendation.	Dangerous Good Section	Dec-16 session	The outcome of the evaluation was brought to the Sub-Committee's attention at its 50th session in December 2016 (see ST/SG/AC.10/C.3/100, paras 93 and 94). As noted in paragraph 94 of the report on that session, the Sub-Committee "considered that such items could be included in the programme of work only upon a proposal by volunteering delegations committed to lead such work". To date, no delegation volunteered to lead work at the Sub-Committee level, on the issues raised by the consultant ("cooperation with customs, dangerous goods in mail, the development of guidance for implementation and the development of guiding principles for modal regulations").
II/ 2	Guiding principles documents (153) for the modal regulations should be produced to ensure stakeholders understand the reasons for variations and additions in modal requirements (151)	Draw the attention of the ECOSOC Sub-Committee of Experts on the TDG to this recommendation. For secretariat involvement, see preliminary note 1	Dangerous Good Section	Dec-16 session	See comment under previous section (II/1)

In its report, the consultant made some suggestions but did not fully explore their feasibility nor provided concrete recommendations on how to implement them. The secretariat has identified the following suggestions:

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III-1	Improve quality of interpretation services during meetings (paragraphs 108-109)	Bring to the attention of UNOG Division of Conference Management. See also management response to Finding 17.	Dangerous Good Section	Sep-16	The secretariat did not receive complaints from delegations on the quality of interpretation during the sessions. We remind delegates regularly to speak slowly when making interventions and particularly when reading a statement, as this may have an impact on the quality of the interpretation services provided.
III-2	Develop a worldwide list of competent authorities (paragraph 136)	Already in process	Dangerous Good Section	Continuous (Requires constant updating)	(See also preliminary notes 1a and 1b) The secretariat has developed a list compiling information about competent authorities for all modes, that is available on the website and is continuously updated based on information received from competent authorities: http://www.unece.org/trans/main/danger/competent_authorities.html In addition, the secretariat continues to keep a list of competent authorities for road (ADR) and inland transport of dangerous goods (ADN) in accordance with the requirements of these two legal instruments. This list is regularly updated based on the information provided by national competent authorities. ADR: http://www.unece.org/trans/danger/publi/adr/country-info_e.html ADN: http://www.unece.org/trans/danger/publi/adn/country-info_e.html
III-3	Develop a simple guide to the basic regulations and how they work to help governments with implementation (similar to the ADR road map for implementation) (paragraph 137)	Draw attention of the ECOSOC Sub-Committee of Experts on the TDG to this recommendation	Dangerous Good Section	Dec-16 session	See comment under section (II/1)
III-4	Explore increased cooperation with WCO and customs as well as documenting the correlation between UN provisions for transport of dangerous goods and customs tariffs nomenclature (paragraph 146)	Draw attention of the ECOSOC Sub-Committee of Experts on the TDG to this recommendation	Dangerous Good Section	Dec-16 session	See comment under section (II/1)
III-5	Achieve better alignment of UN provisions with current consumer trends in online ordering, in particular, need for exemptions of minimal quantities of dangerous goods (paragraph 152)	Draw attention of the ECOSOC Sub-Committee of Experts on the TDG to this recommendation	Dangerous Good Section	Dec-16 session	See comment under section (II/1)
III-6	Develop guiding principles for those parts of ADR and ADN which are not addressed in the Model Regulations (paragraph 151,153, 154)	Draw attention of the RID/ADR/ADN Joint Meeting, WP.15 and ADN Safety Committee	Dangerous Good Section	March 2017 session (RID/ADR/ADN). May 2017 session (WP.15). August 2017 session (WP.15/AC.2)	The Joint Meeting was informed about the availability of the results of the analysis of the questionnaire, the evaluation report and the secretariat's response, at its Autumn 2016 session (see ECE/TRANS/WP.15/AC.1/144, para 63) The Working Party on the Transport of Dangerous Goods (WP.15) was also informed about the availability of these documents at its 103rd session (November 2017) (see ECE/TRANS/WP.15/239, para. 77)