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**Economic Commission for Europe**
**Inland Transport Committee**
**Global Forum for Road Traffic Safety**
**Group of Experts on drafting a new legal instrument on the use of automated vehicles in traffic**
**Seventh session**

Geneva, 30 November – 1 December 2023

**Report of the Group of Experts on drafting a new legal  
instrument on the use of automated vehicles in traffic on its  
seventh session**

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## I. Attendance

1. The Group of Experts on drafting a new Legal Instrument on the use of Automated Vehicles in traffic (LIAV) (also called GE.3) met on 30 November – 1 December 2023 in Geneva.
2. In the absence of Ms. B. Rudolph (Germany), the meeting was chaired by the Vice-Chairs Ms. M. Molina (France) on 1 December 2023 and Mr. H-Y. Berg (Sweden) on 30 November 2023.
3. Accredited experts from the following countries participated in the work in accordance with para. 10 of the Terms of Reference (ECE/TRANS/2021/6, Annex III): Belgium, Canada, Finland, France, Germany, Japan, Luxembourg, Netherlands (The Kingdom of the), Poland, Portugal, Republic of Korea, Spain, Sweden, the United Kingdom of Great Britain and Northern Ireland and the United States of America.
4. Experts from the following non-governmental organizations (NGOs) and academia participated upon invitation by the Chair: the University of South Carolina, the International Organization of Motor Vehicle Manufacturers (OICA) also representing the European Association of European Suppliers (CLEPA). An expert from EUROMED participated upon invitation by the Global Forum for Road Traffic Safety (WP.1).

## II. Adoption of the agenda (agenda item 1)

*Documentation:* ECE/TRANS/WP.1/GE.3/2023/3  
Informal document No. 4

5. The Group of Experts considered the provisional agenda prepared for this session and adopted it without modifications (ECE/TRANS/WP.1/GE.3/2023/3).
6. The Group of Experts noted the running order of the session (Informal documents No. 4), with a tentative timetable for the session

## III. Highlights from the September 2023 session of the Global Forum for Road Traffic Safety (WP.1) (agenda item 2)

### A. Relevant WP.1 activities

*Documentation:* (ECE/TRANS/WP.1/185 paras. 14 and 27-30)

7. The expert from France, Vice-Chair, presented Presentation 1 to inform the Group of Experts about the highlights from the September 2023 session of the Global Forum for Road Traffic Safety (WP.1).
8. She informed that WP.1 had requested that the Group of Experts works, during its seventh session, on merging the informal documents Nos. 5 and 11 (presented at the eighty-seventh session of WP.1) aiming to submit a consolidated proposal about revision of the terms of Reference of the Group of Experts to WP.1 in March 2024.
9. She informed that the Chair of WP.1 clarified that the participation of the automotive industry and other private sector stakeholders in the Group's meetings was possible as per paragraphs 11 and 12 of the current terms of reference.
10. She informed that the Vice-Chairs reported to WP.1 the on-going discussions, outcomes, and the Group's general progress to date (i.e. September 2023), focusing on the Group's sixth session in May 2023.
11. She informed that, after discussions, WP.1 supported the proposal to seek an extension of the duration of the mandate of the Group of Experts until June 2025 to complete and report on the tasks specified in the February 2023 Inland Transport Committee (ITC) decision. WP.1 requested the Chair to report to ITC in 2024 on this request.

## B. Terms of reference revision

*Documentation:* Informal document No. 8 (and its revisions)  
(Informal documents Nos 5 and 11 from the eighty-seventh WP.1 session)

12. The secretariat presented an informal document aimed at merging the content of Informal documents Nos. 5 and 11 from the eighty-seventh WP.1 session. He clarified that this document was a first draft aiming to support the process in response to the WP.1 request.

13. The Group of Experts provided comments and invited the secretary to present a revised versions addressing these comments.

14. The Group of Experts discussed the revised document (revision 2) and noted the paragraphs that were agreed upon: paras. 2, 3, 6, 7, 8, 9, 10, 11, 12, 13, 14, 16 and 17.

15. The Group of Experts noted that paragraph 1 (a) and (b) would require further review, as the expert from the United Kingdom of Great Britain and Northern Ireland felt that simply quoting the ITC decision regarding the focus of the group did not fully reflect its remit. The expert from Belgium also supported this view. The experts from Canada and the United States of America agreed with the wording proposed.

16. The Group of Experts noted that paragraphs 4 and 5 would require further review, given the lack of consensus on the meaning of the ITC decision. The experts from Canada and the United States of America supported the two paragraphs (the expert from the United States of America required to remove the parentheses in para. 4). The experts from Belgium, Finland, Poland and Portugal stated that ITC did not request to perform an assessment of the need for a legal instrument but an assessment of the gaps in the conventions and resolutions under the auspices of WP.1.

17. The Group of Experts agreed to replace the term guidance in para. 8 with the term direction.

18. The Group of Experts felt that paragraph 15 (on UN Member States participation) could be written in a more inclusive manner and suggested an alternative text, subject to further verification. The Group of Experts agreed in principle to simplify the participation rules without modifying the existing applicable rules on decision making.

19. The Group of Experts also supported the idea to simplify paragraph 18 (on the participation upon invitation by the chair) and also offered an alternative, subject to further verification.

## C. Programme of work

*Documentation:* ECE/TRANS/WP.1/GE.3/2023/4

20. The Group of Experts agreed to resume consideration of its programme of work at a next session, until the terms of reference review was completed.

## IV. Activities performed since the May 2023 session (agenda item 3)

*Documentation:* Presentations 2, 3, 4 and 6  
Informal documents Nos. 2, 3, 5 and 6

21. The expert from France explained that in accordance with the decision made by the Group of Experts during its sixth session (see para 39 of ECE/TRANS/WP.1/GE.3/2023/2), The experts from France and the United States of America virtually hosted an informal meeting of WP.1/GE. 3 on Tuesday 13 June 2023. During this informal session the Group of experts discussed, finalized, and agreed on the template that should be used by the subgroups 1 and 2.

22. The expert from Canada reported on the outcome of Subgroup 2 (Presentation 2). The subgroup filled two templates. He detailed the information captured in the first template (informal document No. 5). The group looked at how it can be determined who has or had responsibility for the dynamic control of the automated vehicle at any given time. He detailed the input from nine contracting parties and industry on items related to driving environment, data storage and access to data, HMI, communication with other road users, education and training (incl. the need for consumers ability to differentiate Advanced Driver Assistance Systems (ADAS) from Automated Driving Systems (ADS)).
23. The expert from the Netherlands presented the outcome (Presentation 3) of the Subgroup 2 captured in the template 2 (informal document No. 6). She underlined that these views do not represent the view of the Netherlands as it is a summary of the submissions that were received. She explained that the subgroup focused on roles and responsibilities of a driver, when ADS is engaged if a driver is in the vehicle, if a driver is not required in the vehicle, and how safe operation can be ensured. She detailed the considerations discussed on responsibility, the need for new concept, gap analysis of existing instruments. She concluded that the time provided for the exercise was relatively short, that the template reflected high level opinions of a relatively small number of CPs, that further engagement with industry and the World Forum for Harmonization of Vehicle Regulations (WP.29) would be desired, and that a high-level principle-based approach could be pursued.
24. The expert from the United States of America introduced a summary of the Subgroup 1 activities. She reported on the considerations captured in the template 1 (informal document No. 2), dealing with the conditions when a driver can delegate the dynamic control to an ADS. She also detailed the content of the template 2 (informal document No. 3), looking at who should bear responsibility of some or all of the responsibilities normally attributed to the driver, that are not borne by the driver anymore.
25. She mentioned the common positions expressed by the subgroup: the paradigm shift from the driver responsibility to accountability of companies, not much – if not anything – should be expected from the human whilst the ADS is engaged in the Dynamic Driving Task (DDT), transparency to consumers and governments and human factors considerations.
26. She summarized the discussion related to the gap review in existing legal frameworks under WP.1 that did not achieve consensus and explained that this led to divergence on the need for an international legal instrument.
27. She concluded that the template reflected high level opinions of a relatively small number of CPs, that further engagement with industry and WP.29 would be desired and that a high-level principle-based approach could be pursued.
28. The presenters clarified that the content of the informal documents Nos. 2, 3, 5, 6 and presentations 2 and 3 did not represent the position of their respective countries but provided a snapshot of the discussions conducted since the sixth session of the Group.
29. The expert from the Republic of Korea invited the experts to exchange on their national systems related to criminal liability in the context of victims involved in incidents with an ADS.
30. The expert from Finland supported this idea and suggested that the Group collect information on national relevant legislations. The expert from the United States of America explained that the criminal liability was an issue to be dealt with at the national level, not in an international legal instrument. The expert from the United Kingdom of Great Britain And Northern Ireland detailed the current robust situation that involved conventional vehicles and drivers in the case of a crash, he supported further exchange in that field, when crashes involve automated vehicles. The expert from France highlighted the quality of the exchange that took place since the sixth session.
31. The expert from the United States of America highlighted the items identified for further discussion by the subgroups and reminded the group that ITC mandate to the Group of Experts was to conduct an assessment of the relevant legal conventions and resolutions under WP.1. She advised the Group not to focus on requirements for the ADS vehicle itself, but how the vehicle behaves in road traffic in their review the conventions in detail.

32. The expert from OICA/CLEPA presented the views of industry (informal document No. 7) on the potential role of a resolution or a convention concerning the determination of liability. She stated the importance of implementation of general rules defined at international level into national law. She mentioned the current situation, where national law further detailed the principles originally defined at international level. The expert from OICA/CLEPA provided input on the outcome of the exercise performed by the subgroups 1 and 2. The expert from OICA/CLEPA provided views on the differentiation of ADAS and ADS.

33. The expert from the United States of America thanked OICA/CLEPA for their proposal and noted that several representatives had mistakenly identified UN Regulation No. 157 as a global Level 3 ADS regulation. She said the United States considered this a level 2 driver assistance system regulation adopted under the 1958 Agreement. She continued, it is not global in scope and since it only deals with lane keeping systems it is not comprehensive of an ADS system. She noted work is underway in WP.29 to begin drafting comprehensive ADS regulations on a global scale in the year ahead.

34. The expert from the United States of America also noted that WP.29 has the responsibility to design the technical requirements for data storage systems retention for automated driving was currently addressed by WP.29, but WP.1 and GE.3 experts could be helpful in identifying their data needs to ensure the safe deployment of ADS vehicles in road traffic safety.

35. The expert from Sweden, GE.3 Vice-Chair, presented Presentation 4, on behalf of the GE.3 bureau. He proposed two alternatives, one starting from the gaps analysis, leading to general principles that can be derived into multiple outcomes, that would support the safe use of ADS in traffic and harmonization; and the second option, being to start from general principles that can be focused on to perform a gap analysis and derived in outcomes that would support the safe use of ADS in traffic and harmonization.

36. The expert from France, GE.3 Vice-Chair, supported the idea proposed. She encouraged the Group of Experts to develop a deliverable based on pragmatic, realistic and consensus-based proposals having in mind the duration of the current mandate.

37. The expert from Finland mentioned the good outcome of the process during the summer 2023 with the two subgroups and the conclusion that further discussion would be needed. She proposed to start from the items that could generate consensus. She warned that a line-by-line reading of the conventions would continue to be based on opinions. She supported the idea to identify principles and gaps.

38. The expert from Canada agreed with a process that involves a line-by-line review and the development of principles. He suggested a slight semantic change, and to focus on barriers rather than gaps, as part of the line-by-line review.

39. The expert from the United Kingdom of Great Britain and Northern Ireland expressed concerns with the timing and asked if the bureau could elaborate a timeline.

40. The expert from Belgium thought that the development of principles could be complex. He supported the line-by-line review proposed by the expert from Canada, to check if the existing texts were compatible with ADS.

41. The expert from Portugal stated that a line-by-line review would take a long time, as the past discussions at WP.1 showed the existence of various slight variations in the interpretation of provisions of the conventions.

42. The expert from Canada encouraged the Group of Experts to take the time for this exercise as it would help to reach global consensus. He proposed that the Group of Experts develop questions and draft a template that would guide the line-by-line review.

43. The expert from Germany proposed to keep in mind the purpose of the exercise, to well describe the gaps identified and to also consider which international rules might be necessary to enable cross border international traffic.

44. The expert from the University of South Carolina proposed three questions to be addressed while performing the line-by-line screening:

(a) Is the provision as applied to automated driving clear or ambiguous? Is it sufficiently detailed?

(b) Is the provision an obstacle? If so, to what? Safety? Domestic deployment? Cross-border deployment? Domestic regulation? Harmonization? Some other goal?

(c) What do these provisions in aggregate not address? What's missing?

45. The Group of Experts agreed with the Chair to derive main questions from the outcome of the two subgroups and the input provided by industry, that would guide the line-by-line review of the WP.1 instruments.

46. Several delegations provided potential questions, that could be grouped into three topics: the potential barrier created by the provisions to the deployment of automated vehicles, the potential barriers to international traffic and the potential barriers that can be created by existing national legislations in line with the conventions. In this context the Group of Experts discussed the importance for GE.3 to address cross border issues and did not find a consensus if this issue was a European issue or a more global issue.

47. The expert from France, GE.3 Vice-Chair, presented (on behalf of the GE.3 bureau) Presentation 6, with a set of three questions aimed to support the collective assessment of any gaps in the conventions and resolutions under the auspices of WP.1. She explained that the questions were based on the input received from the two subgroups Co-Chairs, OICA/CLEPA, University of South Carolina, Poland, Japan, German. She also offered a *modus operandi* for the way forward including the organization of informal (virtual) meetings in English only. The Group of Experts endorsed the proposal with the three questions reading:

(a) Is this provision ambiguous as it applies to ADS (if yes, is the provision not comprehensive of ADS? Is anything missing?)

(b) Does this provision compromise road user safety when it applies to ADS?

(c) Does this provision prevent the use of ADS in international road traffic (including cross border operations)? (If yes, what are the barriers/obstacles in this provision)?

48. The Group of Experts also agreed to collect input on any elements that would be missing in the documents reviewed. The expert from the United Kingdom of Great Britain and Northern Ireland stressed that simply answering these questions clause by clause may not identify all the gaps in the existing legal instruments and so this would require careful consideration when analyzing the responses.

49. Several delegations offered to support the next steps by hosting informal meetings including, Sweden and Germany. The Group of Experts invited other delegations to consider this as well.

50. The Group of Experts agreed to consider the report of these activities at its eighth session mid-2024.

## V. Other business (agenda item 4)

Documentation: Presentations 5, 7 and 8

51. The expert from the United Kingdom of Great Britain and Northern Ireland gave a presentation about the Automated Vehicle Bill, which was presented to the United Kingdom parliament on 8 November 2023. He provided a broad overview of the policy context and the key provisions of the Automated Vehicle Bill and clarified that these provisions may be changed during parliamentary scrutiny (Presentation 5).

52. The expert from OICA/CLEPA presented their views (Presentation 8) on the difference between ADAS and ADS.

53. The expert of the United States of America commented on the statement by OICA/CLEPA that ADAS does not allow disengagement of the driving task by way of driver monitoring", noting that this aspect was aspirational for all, more so for some manufacturers than others. She also stated that driver monitoring strategies chosen by manufacturers were

not yet to a point where they can be relied upon to actually prevent disengagement of the driving task. She also commented on the monitoring the environment mentioned by OICA/CLEPA, stating that it was also aspirational to say that any ADS can monitor the environment within its operational design domain. This has not yet been achieved for ADS, as is evidenced by recent high-profile crashes of ADS-equipped vehicles.

54. The expert from Belgium inquired if the transition of control could be safe as the fallback user of an ADS issuing transition demands does need to monitor the environment. The expert from OICA/CLEPA explained that the transition of control was a process of several steps that lead to the situation in which a driver can take over the DDT.

55. The Group of Experts invited the experts present to share information on their activities on ADS at national level. The experts from Belgium, Canada, Finland, France, Germany, Japan, Korea (Republic of), Luxembourg, Netherlands (Kingdom of), Poland, Portugal, Sweden, United Kingdom of Great Britain and Northern Ireland and United States of America shared information on the situation in their country. The University of South Carolina and OICA/CLEPA shared information with the Group of Experts.

56. The Group of Experts agreed to share information among the experts and requested the secretariat to post such information on the UNECE wiki. It agreed to repeat the information sharing exercise at the next session.

## **VI. Next session (agenda item 5)**

57. The Secretary informed the Group of Experts that its eighth session was scheduled to take place on 29 April to 1 May 2024.

58. The Group of Experts requested the secretariat to move the session by a few days as 1 May is a bank holiday in many countries (Labour Day) and as it would prevent several delegations to participate in the eighth session. The Group of Experts asked for a 2-day session in the same week.

## **VII. Adoption of the list of decisions of the sixth session (agenda item 6)**

*Documentation:* ECE/TRANS/WP.1/GE.3/2023/4

59. The Secretary presented the draft report of this session.

60. The Group of Experts reviewed this document and adopted it.

## Annex

### **Draft report on the activities of the Group of Experts on drafting a new legal instrument on the use of automated vehicles in traffic since its establishment**

*Note: To be further edited at the next session*

The present document reflects the accomplishments of the Group of Experts (GoE) on drafting a new Legal Instrument on the use of Automated Vehicles in traffic (LIAV) since its establishment. It addresses the outcome of the six formal sessions as well as the four informal sessions that took place until the end of September 2022.

1. During the first session of the Group, which took place on 1 September 2021, the Group elected its officers and elaborated the programme of work for the period of which it was established. The Group agreed to further prepare the programme of work during an informal meeting, organized by France, and to review it at the next session.
2. WP.1 at its eighty-third session in September 2021 acknowledged the work done during the Group's inaugural session and stressed the need to focus the discussions and outputs of the Group on its mandate (as per Annex III of ECE/TRANS/2021/6).
3. The second session of the Group took place in December 2021, during which the Group adopted the programme of work, clearly defining its objectives and activities and making a schedule for their implementation. In order to accelerate the work, the Group agreed to organized two informal sessions before the next formal session in May 2022.
4. The aforementioned activities of the Group aimed at increasing the relevance of the future legal instrument, whose drafting, according to the Group's Terms of reference (as per Annex III of ECE/TRANS/2021/6) is the Group's main output.
5. The Chair of the Group reported to WP.1 at its eighty-fourth session in March 2022. The WP.1 Chair emphasized the need to start focusing at the same time on the planned structure of the new instrument based on the current work on assessing safety considerations.
6. At the third formal session on 16 May 2022, the Group received a summary report of the informal meetings co-organized by Canada and Sweden, that took place in January and March 2022. The expert from Canada explained that the Group had informally exchanged views on road safety concerns that could be addressed by a new legal instrument, based on the outcome of the second survey distributed by the secretariat after the second formal session. He explained that Canada and Sweden proposed to develop a list of core road safety risks as well as a series of brief scoping papers on each of the core safety risks.
7. GE.3 noted the value of the exchange on road safety risks and requested the secretariat to provide information about activities of other working parties and relevant groups related to automated vehicles.
8. The expert from France made a presentation supporting their view that the new legal instrument should be a new convention. She stated that a new convention would be the best suited legal instrument to complement the existing 1949 and 1968 Conventions on Road Traffic as it would bring the advantage of high-level compliance and a uniform implementation of rules. She proposed to host an informal meeting before the 4<sup>th</sup> session of the GoE. The expert from the United States of America stated that the Group should focus its discussions on the content of a new legal instrument rather than its format. The expert from Italy, Chair of WP.1, recalled that the envisaged main deliverable of the Group, mandated by the Inland Transport Committee (ECE/TRANS/2021/6, Annex III, paragraph 4), was a new legal instrument, expected to complement the 1949 and 1969 Conventions and specifically aimed at ensuring road traffic safety, including vulnerable road users. She pointed out that due to this mandate the new legal instrument could not be an amendment to the existing Conventions. The expert from Australia suggested to work in parallel on analyzing the existing Conventions to elaborate the necessary changes as well as



on defining and scoping safety risks related to automated vehicles to elaborate the input for the legal instrument, to make it future proof.

9. The Group had invited three experts from NGOs, one from the industry, one from a road safety NGO, and one from academia, who each had been invited to prepare a document with considerations of relevance to the Group.

10. The expert from OICA/CLEPA presented the challenges of the industry with regards to the introduction of Automated Driving Systems (ADS) in traffic. They explained the paradigm shift due to the fact that manufacturers of such products have the obligation to translate human-oriented driving rules into technical algorithms of the ADS. He proposed to the Group to focus on the harmonization of traffic laws as well as on the identification of existing requirements for humans that are not transferable to a machine.

11. The expert from academia (University of South Carolina) presented initial thoughts on “road safety challenges posed by the use of automated vehicles in traffic that an international legal instrument could adequately address”, explaining that he had focused on possible instruments, both legally binding and non-binding, and on the domestic as well as the international level.

12. The expert from ETSC presented elements that should be addressed at UNECE level regarding the lack of commonality in terms of Human Machine Interface, mode confusion, over trust or over reliance and driver monitoring. He called for the establishment of a system of robust oversight and investigation. The expert from Austria expressed his assumption that many of the problems listed should rather be addressed on a technical basis and therefore by the World Forum for Harmonization of Vehicle Regulations (WP.29) and its subgroups.

13. The Group concluded that any delegation could at any point in time prepare working documents for the Group’s next sessions, contributing to item (a) of the Group’s programme of work (as per ECE/TRANS/WP.1/GE.3/2022/3), and in parallel, could start defining the skeleton of the new legal instrument, including its key aspects, to prepare for item (b) of the Group’s programme of work.

14. The fourth meeting of the Group, an additional meeting thanks to UNECE and UNOG, took place on 1-2 September 2022. During this two-day session the Group reviewed the input prepared by France for the informal meeting that took place in July 2022. This input reviewed article by article the content of the 1949 and 1968 Conventions on Road Traffic and included suggestions for each of the articles that could be addressed by a new convention.

15. The secretariat informed the Group on the activities of other Working Parties and relevant Groups of the United Nations related to autonomous vehicles, provided information on the historical background of the Conventions related to road traffic and traffic safety, and on the types of legal instruments within the United Nations. The Group welcomed the secretariat’s presentations. The one on other Working Parties’ activities was helpful to identify some technical aspects that are already addressed by the Working Party on Automated/Autonomous and Connected Vehicles (GRVA), one of the sub-groups of WP.29, which could be of potential interest to GE.3. The presentation on the history of the previous conventions was useful to identify the necessary process, the amount of work and material needed to draft a new convention, and the presentation providing an overview of legal instruments within the United Nations complemented the presentation made by France at the Group’s third session in May 2022.

16. The Group discussed, on the basis of the input prepared and presented by the expert from France, which included a summary of the comments received by France on their presentation at the Group’s informal meeting in July 2022. The Group agreed to proceed as follows:

(a) To start drafting text (through short drafts) for a new legal instrument in the style of a new convention, complementing the existing 1949 and 1968 Conventions on Road Traffic.

(b) To keep the scope rather broad at a first stage, including definitions and systems that may not finally be part of the new convention. It was agreed that the scope would

be streamlined over time as the drafting, the technical progress and knowledge would advance.

17. In order to make progress along those lines, the Group decided on a different format for activities undertaken in between sessions. There will be no informal meeting hosted by an expert delegation. Instead, a number of experts of the Group volunteered to meet and to start writing text that could be included in the first draft of a new convention.

18. A series of four virtual meetings is expected to take place between the fourth session of the Group in September 2022 and before the fifth session of the Group in December 2022.

19. The Chair of the Group and the secretariat reported to WP.1 at its 85th session in September 2022. The Chair informed WP.1 about the aforementioned modalities in between sessions, chosen in order to start preparing a first draft in a “convention format” for the creation of a new legal instrument on the use of automated vehicles in traffic. She explained that these activities were supported by volunteers from a number of countries while three countries still expressed concerns and reservations regarding the drafting as they considered the need to accomplish preliminary activities before drafting. WP.1 noted that the Group intends, at its forthcoming December 2022 session, to begin the initial review of the first draft of the text prepared by the volunteering experts. WP.1 agreed to the Group’s request to extend its mandate for additional two years.

20. The Group of Experts, at its fifth session, received a presentation of the zero draft (informal document No. 1, GE.3-05-01), a document submitted by the experts from Finland and the Netherlands on behalf of the drafting volunteers of the Group and prepared during seven informal meetings.

21. The Group also took note of the proposal for the further assessments to draft a legal text as raised by Canada, Sweden and United States of America at the WP.1 September 2022 session. The Group took note of informal document No. 2 GE.3-05-02, prepared by the expert from the United Kingdom of Great Britain and Northern Ireland in consultation with the drafting volunteers, which addresses the need for the further assessments.

22. The Group re-elected Ms. B. Rudolph (Germany) as Chair of GE.3 for the sessions in 2023 and 2024. The group also re-elected Ms. M. Molina (France) and elected Mr. H. Berg (Sweden) as Vice-Chairs for the sessions in 2023 and 2024.

23. The Group endorsed ECE/TRANS/WP.1/GE.3/2022/11 as amended and requested the WP.1 Chair to present it to ITC at its 2023 session.

24. The Group, at its sixth meeting on 4-5 May 2023, was informed of and acknowledged the decision of ITC, at its February 2023 session (ECE/TRANS/328, para. 30): the decision related to the endorsement of the extension of the mandate of the Group on drafting a new legal instrument on the use of automated vehicles in traffic until December 2024, with a focus to (i) undertake the assessment collectively of any gaps in the conventions and resolutions under the auspices of WP.1, and (ii) identify the issues to be addressed.

25. In accordance with the decision mentioned in paragraph 24, the Group decided, during its sixth session, to structure its work so as to undertake the assessment collectively of any gaps in the conventions and resolutions under the auspices of WP.1, and identify the issues to be addressed. To support this work, and after consideration of informal documents prepared by the experts from Canada, Japan and the United States of America, respectively by Finland, Germany, Greece, Luxembourg, the Netherlands, Poland, Portugal, Sweden, United Kingdom of Great Britain and Northern Ireland, the Group of experts decided to create two different groups:

(a) One group (group 1) to work on gaps related to safe deployment and use of automated vehicles in road traffic as well as gaps related to entities responsible for automated driving.

(b) A second group (group 2) to work on gaps related to automated vehicles with a driver in the vehicle, as well as gaps related to automated vehicles without a driver.

(c) To support and guide these groups, the Group of Experts decided to have an informal GE.3 session within a month to prepare a template to ensure consistency in the

activities of the two groups. (Further activities of GE.3 include the elements in the presentation 6 of that session.)

26. The outcome of the work performed by the two groups would be reviewed at the seventh session.

27. The Group at its sixth session on 4-5 May 2023 discussed the present report on its accomplishments to date and requested the secretariat to submit the report to WP.1, the Group's parent body.

28. The Groups, at its seventh session on 30 November – 1 December 2023 received a report on the activities performed during the informal GE.3 meeting held on 13 June 2023, which produced a template for the purpose of the two subgroups. The Group received presentations from the 2 subgroups outcomes. The Group decided on the way forward, building on the outcome of the two subgroups and input received during the session, focusing its activities on the assessment of the gaps in the conventions and resolutions under the auspices of WP.1, that would be guided by a list of three questions agreed during the session. The Group also performed the activity requested by WP.1 and merged informal documents No. 5 and 11 (of the eighty seventh session of WP.1).]

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