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ECONOMIC COMMISSION FOR EUROPE

INLAND TRANSPORT COMMITTEE

Working Party on Road Transport
(Ninety-seventh session)

**HARMONIZATION OF REQUIREMENTS CONCERNING INTERNATIONAL
ROAD TRANSPORT AND FACILITATION OF ITS OPERATION**

**Draft revised Consolidated Resolution on the Facilitation of
International Road Transport (R.E.4)**

Note by the secretariat

In order better to understand the proposed amendments made to the draft R.E.4 as discussed at the ninety-sixth session of SC.1 (cf. document TRANS/SC.1/2002/4), the secretariat has prepared a table reproduced below to explain the amendments which are indicated in bold italics in document TRANS/SC.1/2002/4/Rev.1.

Explanatory table

(Reference documents: TRANS/SC.1/2002/4/Rev.1
and TRANS/SC.1/2002/4)

Provisions in question in document TRANS/SC.1/2002/4/Rev.1	Comments on the amendments made to the text of document TRANS/SC.1/2002/4
Chapter I - Section 1 Paragraph 1.1.1	The term “competent authorities” appears frequently. The secretariat considered it helpful to give a definition based on that of resolution CEMT/CM(2000)10/FINAL.
Paragraph 1.1.2	This is a new paragraph in which the definitions concerning both the transport of passengers and the transport of goods have been included. The definition of “authorization” concerned only the transport of goods. It seemed useful also to include passenger transport and it was therefore transferred to section I.
Paragraph 1.1.4	“Undertaking” is mentioned at various points in the text of the resolution. It seemed useful to provide a definition based on one which already existed.
Paragraph 1.1.5	The purpose of the amendment is to group the definitions included in the previous version of R.E.4 with reference to the transport of passengers and goods, taking into account the new definition of “undertaking”.
Paragraph 1.1.6 Paragraph 1.1.7	The two definitions of “user charge” and “toll” appeared previously in the section “Applicable principles”.
Paragraph 1.1.8	New definition included, taken from Directive EC 1999/62 on charges for the use of infrastructures, from which the definitions of “user charge” and “toll” were also taken.
Paragraph 1.1.9	New definition included, taken from resolution CEMT/CM(2000)10/FINAL.
	It seems necessary to clarify this provision, in particular to ensure that a peripheral State does not grant broad freedoms to foreign carriers - even when they are unsolicited - with the sole aim of being able to claim “equivalent facilities” from other States.
Paragraph 1.2.1.5	This provision was included following a request by SC.1 at its ninety-sixth session. The secretariat based itself for the purpose on resolution CEMT/CM(99)3/FINAL.
Paragraph 1.2.1.7	This is a more flexible formula to cover countries which have introduced a system in which user charges concern all of their roads.

Provisions in question in document TRANS/SC.1/2002/4/Rev.1	Comments on the amendments made to the text of document TRANS/SC.1/2002/4
Paragraph 1.2.1.7.1 Paragraph 1.2.1.7.2	It seemed helpful to number separately these two paragraphs concerning user charges and tolls, the definitions of which, previously to be found in document TRANS/SC.1/2002/4, have been transferred to paragraphs 1.1.6 and 1.1.7 of TRANS/SC.1/2002/4/Rev.1.
Paragraph 1.2.1.11	At the request of SC.1. This wording has already been used in the Interbus Agreement (cf. art. 9, para. 1.2).
Paragraph 1.2.1.15 Paragraph 1.2.1.15.1	SC.1 was of the opinion at its session that the last indent of 1.2.1.14, which had no connection with the other provisions of this paragraph, should be separated from the rest. The secretariat proposes that the content of this provision should be kept as it stands by putting it into a new paragraph and linking it numerically with the provision included under the new 1.2.1.15.1 which relates to the same subject.
Chapter I - Section 2 Paragraph 2.1.5	Replacement of “the place of departure and destination” by “the place where the journey begins and the place where the journey ends” in order to bring the text into line with the Interbus Agreement.
Paragraph 2.1.6	Additions proposed to bring the text into line with the Interbus Agreement.
Paragraph 2.1.7	Change of terminology in accordance with the new definition of “undertaking” in paragraph 1.1.4.
Paragraph 2.2.3.1	This is a new paragraph grouping: <ul style="list-style-type: none"> – a provision previously appearing at the end of the definition of “occasional international services” (cf. paragraph 2.1.6 of TRANS/SC.1/2002/4); SC.1 has requested its transfer to another paragraph; – and an important new provision taken from the Interbus Agreement, so that R.E.4 can be brought into line with the Agreement as far as possible.
Paragraph 2.2.3.2 Paragraph 2.2.3.3 Paragraph 2.2.3.4	The secretariat has amended the wording of these paragraphs to bring it into line with that of the Interbus Agreement. In addition, the introductory sentence has been amended to include the word “should” since this is a resolution and not a binding agreement.

Provisions in question in document TRANS/SC.1/2002/4/Rev.1	Comments on the amendments made to the text of document TRANS/SC.1/2002/4
Chapter I - Section 3	Definition taken from resolution
Paragraph 3.1.2	CEMT/CM(2000)10/FINAL, at the request of SC.1.
Paragraph 3.1.3	Alignment of the definition with that of resolution CEMT/CM(2000)10/FINAL.
Paragraph 3.1.8	Slight amendment of the CEMT definition proposed by the secretariat to include cases in which the undertaking is a natural person with no employees.
Paragraph 3.2.6	Alignment of the definition with that of resolution CEMT/CM(2000)10/FINAL.
Paragraph 3.2.7	Inclusion of a new provision in order to bring the text into line with the content of resolution CEMT/CM(2000)10/FINAL.
Paragraph 3.2.8	As for paragraph 3.2.7.
