



**Economic and Social
Council**

Distr.
GENERAL

TRANS/WP.15/AC.2/15
31 January 2003

ENGLISH
Original: FRENCH

ECONOMIC COMMISSION FOR EUROPE

INLAND TRANSPORT COMMITTEE

Joint Meeting of Experts on the Regulations annexed to the
European Agreement concerning the International Carriage
of Dangerous Goods by Inland Waterways (ADN)

**REPORT OF THE JOINT MEETING OF EXPERTS
ON ITS SEVENTH SESSION***

(21-23 January 2003)

* Distributed in German by the Central Commission for the Navigation of the Rhine under the symbol CCNR/ZKR/ADN/WP.15/AC.2/15.

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Annex: Amendments to the 2003 version of the Regulations annexed to ADN.

Addendum 1: Consolidated text of the amendments to the 2003 version of the Regulations annexed to ADN adopted by the Meeting of Experts at its seventh session.

ATTENDANCE

1. The Joint Meeting of Experts on the Regulations annexed to the European Agreement concerning the International Carriage of Dangerous Goods by Inland Waterways (ADN) held its seventh session in Geneva from 21 to 23 January 2003. Representatives of the following countries took part in the work of the session: Austria; Belgium; Czech Republic; France; Germany; Netherlands; Russian Federation; Switzerland; Ukraine. The following intergovernmental organizations were also represented: European Commission; Central Commission for the Navigation of the Rhine (CCNR); Danube Commission. The following non-governmental organization was also represented: International Association of Classification Societies (IACS).

ADOPTION OF THE AGENDA

2. The Joint Meeting of Experts adopted the agenda as prepared by the secretariat (TRANS/WP.15/AC.2/14).

ELECTION OF OFFICERS

3. On the proposal of the representative of France, Mr. H. Rein (Germany) was elected Chairman.

STATUS OF THE EUROPEAN AGREEMENT CONCERNING THE INTERNATIONAL CARRIAGE OF DANGEROUS GOODS BY INLAND WATERWAYS (ADN)

4. The Joint Meeting noted that the signatories to the Agreement (Bulgaria, Croatia, Czech Republic, France, Germany, Italy, Luxembourg, Netherlands, Republic of Moldova, Slovakia) had still not deposited their instrument of ratification.

5. It was informed that the Russian Federation had deposited an instrument of accession on 10 October 2002 and was therefore the first Contracting State (depositary notification C.N.1085-2002-TREATIES-1 of 11 October 2002).

6. After consulting all present on the situation of the ratification process in the various countries, the Chairman invited delegations to make its advancement a major priority so that ADN could enter into force as soon as possible.

7. The representative of the Czech Republic said that his Government was waiting for the Czech translation of the 2003 version of the restructured annexed Regulations to initiate the process of ratifying the Agreement.

8. Delegates were reminded that the process of ratifying the Agreement should be separated from that of the amendments to the annexed Regulations. It was not necessary to have access to the restructured text in order to ratify the Agreement or accede to it. Until the Agreement entered into force, only the original annexed Regulations could be taken into account from a legal point of view. It was, however, planned, in accordance with article 11 (1), that the annexed Regulations (with the exception of the provisions relating to the recognition of classification

societies) would only apply 12 months after the entry into force of the Agreement, and in accordance with the resolution adopted by the Diplomatic Conference, and that the Administrative Committee would replace the original annexed Regulations by updated annexed Regulations.

9. Since it was not possible to anticipate the exact date of entry into force, it was not apparent, as things stood, whether it would concern the 2003 version of the annexed Regulations, the 2005 version or some subsequent version. It would be for the Contracting Parties to decide on this once the Agreement entered into force.

10. The countries concerned by the Agreement should therefore ratify it or accede to it as rapidly as possible, bearing in mind that the annexed Regulations would in any case be amended once they entered into force under a procedure in accordance with article 20.

PROPOSED AMENDMENTS TO THE REGULATIONS ANNEXED TO ADN

(a) Proposals pending

Document: TRANS/WP.15/AC.2/2002/1/Add.10 (Secretariat)

11. The proposal by the secretariat in 7.1.4.1.1 was adopted without amendments with the possibility of subsequently considering the text which had been placed in square brackets (see annex).

(b) New proposals

Document: TRANS/WP.15/AC.1/2003/1 (Secretariat)

12. The secretariat's proposal concerning Parts 1, 2 and 3 was adopted with some amendments (see annex).

13. The Chairman stressed the importance of adding paragraphs 1.8.5.3 and 1.8.5.4 to allow the exchange of information on the causes of accidents and incidents involving dangerous goods, so that lessons could be learned on improving safety.

14. The Meeting of Experts decided that a harmonized report model should be developed as had been done for RID and ADR and CCNR was invited to consider the question, making a distinction between accidents involving packaged dangerous goods and those involving dangerous goods carried in bulk or in tankers.

Document: TRANS/WP.15/AC.2/2003/2 (Belgium)

15. While pointing out that the existing text of ADN contained detailed provisions for marking, labelling and placarding (Chapters 5.2 and 5.3) as in RID/ADR, the representative of Belgium proposed that these chapters should be simplified by reproducing the specimen labels only and merely referring to the provisions of international regulations recognized by ADN without reproducing them.

16. It was observed that the text of ADN should be brought up to date since the labelling provisions of the IMDG Code, RID and ADR were identical as from 1 January 2003.

17. It was also noted that for placarding, provisions of the IMDG Code differing from those of RID/ADR were indicated in ADN. The question of the marking of marine pollutants was covered by 1.1.4.2.

18. The majority of delegations considered that it was preferable for ADN users to have all the applicable provisions to hand and the proposal by Belgium was not adopted.

Document: TRANS/WP.15/AC.2/2003/3 (Secretariat)

19. The proposal by the secretariat concerning Parts 7, 8 and 9 was adopted with some amendments (see annex).

20. It was recalled that paragraph 7.2.4.11.1 had remained in square brackets because the measures decided within CCNR for the Convention on waste from vessels were still not in force. This problem would arise as from 2005, however, since some degassing operations would be banned in view of the Community Directive concerning the ban on releasing volatile organic compounds into the atmosphere.

21. With reference to the provisions concerning the training of experts in 8.2.2, the Meeting decided that a harmonized list of questions would be required and that it should be prepared under the auspices of the Administrative Committee. Before the entry into force of the Agreement and the adoption of the list by the Committee, the competent authorities would be required to prepare a list; they were recommended to use those drawn up by CCNR or the Danube Commission (see annex).

Informal document: INF.1 (Ukraine)

22. With reference to the first proposal, it was recalled that the obligation for the vessels of a pushed convoy or a side-by-side formation to carry a certificate of approval derived from 7.1.2.19, which referred back to 8.1.8. The model certificates of approval for which 8.7 provided already contained a specific entry in section 4 for additional requirements applicable to vessels.

23. The representative of Ukraine withdrew his second proposal concerning marginal 10 381 following the explanations given by the representatives of Austria and the Netherlands.

MATTERS RELATING TO THE RECOGNITION OF CLASSIFICATION SOCIETIES

Informal document: INF.2 (Russian Federation)

24. The Meeting of Experts noted that the Government of the Russian Federation had transmitted a request from the Russian River Registry to the UN/ECE secretariat, expressing the wish to be recommended for recognition under the ADN Agreement, together with all the necessary documents, in English and Russian, according to the procedure finalized at the fifth session (see TRANS/WP.15/AC.2/2002/2 and TRANS/WP.15/AC.2/11, paras. 31-36).

In accordance with this procedure, the file would be transmitted to the Government of Germany which, in cooperation with the UN/ECE and CCNR secretariats, was acting as the secretariat of the provisional Committee of Experts for the consideration of such applications.

25. The Chairman said that the Government of Germany would convene the Committee as rapidly as possible; experts would be invited to its sessions from the States signatories to ADN or Contracting Parties which were voting members along with experts from other interested countries as observers.

26. The representative of Ukraine said that his country wished to accede to ADN. He also informed the Meeting that the Ministry of Transport of Ukraine had appointed the Ukrainian River Registry as the competent national body for all matters relating to the construction of vessels intended for the carriage of dangerous goods in accordance with ADN, and had given it authority to carry out inspections and issue certificates of approval in accordance with Annex C, Chapter 1, of ADN. Once his country had acceded to ADN, it would submit a file for the application and recommendation of recognition of the Ukrainian River Registry.

PROGRAMME OF WORK AND CALENDAR OF MEETINGS

27. The Meeting of Experts noted that the Committee of Experts on the Transport of Dangerous Goods and on the Globally Harmonized System of Classification and Labelling Chemicals had adopted new recommendations in December 2002 which would be considered by the RID/ADR/ADN Joint Meeting, and that these amendments were to be studied at the next session for incorporation into ADN and implementation on 1 January 2005.

28. These new recommendations, inter alia, concerned safety measures for the transport of dangerous goods and the classification of aquatic pollutants. CCNR had already undertaken work in these two areas. The Meeting of Experts therefore requested CCNR to submit to it any relevant proposals for amendments to ADN and any other proposed amendments it might wish to see implemented as from 1 January 2005, at latest 12 weeks before the opening of the next session scheduled from 26 to 30 January 2004 (i.e. by 31 October 2003 at latest).

ADOPTION OF THE REPORT

29. The Joint Meeting of Experts adopted the report of its seventh session and its annex on the basis of a draft prepared by the secretariat.

Annex**AMENDMENTS TO THE 2003 VERSION OF THE
REGULATIONS ANNEXED TO ADN**Parts 1, 2 and 3:

Amend in accordance with document TRANS/WP.15/AC.2/2003/1 with the following changes:

1.6.1.6 Delete this sub-section.

1.8.5.3 Note, read:

“NOTE: See the provisions of 7.5.11 CV33 (6) of ADR or of 7.5.11 CW33 (6) of RID for undeliverable consignments.”.

Part 7

The text proposed by the secretariat for 7.1.4.1.1 (see TRANS/WP.15/AC.2/2002/1/Add.10) was adopted but placed in square brackets for confirmation at the next session.

[7.1.4.1.1 The following gross masses shall not be exceeded on any vessel except for double-hull vessels. For pushed convoys and side-by-side formations this gross mass applies to each unit of the convoy or formation.]

Class 1

(existing text unchanged)

Class 2

All goods for which label No. 2.3 is required in column (5) of Table A of Chapter 3.2: total	120 000 kg
All goods for which label No. 2.1 is required in column (5) of Table A of Chapter 3.2: total	300 000 kg
Other goods	No limitation

Class 3

All goods for which label No. 6.1 is required in column (5) of Table A of Chapter 3.2: total 120 000 kg

Other goods 300 000 kg

Class 4.1

UN Nos. 3221, 3222, 3231 and 3232, total 15 000 kg

All goods for which label No. 6.1 is required in column (5) of Table A of Chapter 3.2 and UN Nos. 3221, 3222, 3231 and 3232: total 120 000 kg

Other goods No limitation

Class 4.2

All goods of packing groups I or II and those for which label No. 6.1 is required in column (5) of Table A of Chapter 3.2: total 300 000 kg

Other goods No limitation

Class 4.3

All goods of packing groups I or II and those for which label No. 3, 4.1 or 6.1 is required in column (5) of Table A of Chapter 3.2: total 300 000 kg

Other goods No limitation

Class 5.1

All goods for which label No. 3, 4.1 or 6.1 is required in column (5) of Table A of Chapter 3.2: total 300 000 kg

Other goods No limitation

Class 5.2

UN Nos. 3101, 3102, 3111 and 3112: total 15 000 kg

All other goods: total 120 000 kg

Class 6.1

Packing group I	120 000 kg
Packing group II	300 000 kg
Packing group III	No limitation

Class 7

UN Nos. 2912, 2913, 2915, 2917, 2919, 2977, 2978 and 3321 to 3333	0 kg
Other goods	No limitation

Class 8

Packing group I, goods of packing group II for which label No. 3 or 6.1 is required in column (5) of the table in Chapter 3.2: Total	300 000 kg
Other goods	No limitation

Class 9

Packing group II	300 000 kg
Other goods	No limitation

(rest of the text unchanged)

Parts 7, 8 and 9:

Amend in accordance with document TRANS/WP.15/AC.2/2003/3, with the following changes:

8.2.2.7 *Examinations*

The text of this sub-section and its paragraphs is that of the existing 8.2.3.5 with the following amendments:

Each time the reference occurs, replace “the competent authority” by the “Administrative Committee”. The footnote should read: “Before the entry into force of the Agreement, or until the Administrative Committee adopts the list of questions, this list of questions shall be drafted by the competent authority. It is recommended that the competent authority should use the lists of questions drawn up by the Central Commission for the Navigation of the Rhine or the Danube Commission.”

8.2.2.7.1.3 (former 8.2.3.5.1.3) Read:

“The Administrative Committee shall establish a list of questions comprising the objectives set out in 8.2.2.3.1.1 to 8.2.2.3.1.3. The examination questions shall be selected from this list. The candidate shall not have advance knowledge of the questions selected.”

8.2.2.7.1.4 (former 8.2.3.5.1.4) Read:

“The model attached to the list of questions is to be used to compile the examination questions.”

8.2.2.7.1.5 (former 8.2.3.5.1.5) Add “and CEVNI” after “regulations on dangerous goods”.

8.2.2.7.2.3 (former 8.2.3.5.2.3) Replace “the topics referred to in 8.2.2.3.3 or 8.2.2.3.4” by “the objectives set out in 8.2.2.3.3.1 or 8.2.2.3.3.2”.

Delete the last sentence.

8.2.3.5.2.4 (former 8.2.3.5.12.4) Read:

“The model attached to the list of questions is to be used to compile the examination questions.”.

8.6 Delete this chapter and renumber the following accordingly.

9.2 Number the text under the heading 9.2.0 and word it to read:

“9.2.0 The requirements of 9.2.0.0 to 9.2.0.79 are applicable to seagoing vessels which comply with the following requirements:

- SOLAS 74, Chapter II-2, Regulation 19 in its amended version; or
- SOLAS 74, Chapter II-2, Regulation 54 in its amended version in accordance with the resolutions mentioned in Chapter II-2, Regulation 1, paragraph 2.1, provided that the vessel was constructed before 1 July 2002.

Seagoing vessels which do not comply with the above-mentioned requirements of the SOLAS 74 Convention shall meet the requirements of 9.1.0.0 to 9.1.0.79.”

9.3.1.21.1 Paragraph (f), read:

“(f) an instrument for measuring the temperature of the cargo;”.

9.3.2.21.7 The amendment concerns the third paragraph and not the second.

9.3.2.26.4 First sentence, read:

“Les citernes à restes de cargaison doivent être munies:”(concerns the French text only).

General amendment:

When reference is made to residual cargo tanks, “réservoir/réservoirs” should be replaced by “citerne/citernes” throughout the French version of the annexed Regulations, where appropriate. (Concerns the French text only)

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