

# **Importance of regulatory convergence in promoting cross-border transport and international haulage and upgrading road transport performance in South Mediterranean region, efforts, and achievements**

By Michalis P. Adamantiadis, Team Leader & Road Freight Transport Key Expert, EuroMed Transport Support Project (EuroMed TSP)

## **Introduction**

Transport is essential to life and of vital importance for society, ensuring everyday mobility of populations and allowing them to perform their economic and social activities. Transport is also pivotal for growth and competitiveness of economies enabling economic activities, the production and distribution of goods as well as trade. International transport is of strategic importance playing a vital role to international trade, which has a major impact on the economic development. On the other hand, transport negatively affects people's safety and health as well as the environment. For these reasons, *transport is a strategic responsibility of Governments, which can play a major role in promoting its efficiency, through the development of transport networks and a regulatory framework within which transport services can develop efficiently and under the best possible conditions of safety and environmental protection.*

This article, dedicated to road transport, draws on the experiences from the ongoing work under the European Union (EU) funded EuroMed TSP (2017-2022) and previously the EuroMed Road, Rail and Urban Transport (RRU) Project (2012-2016) (hereafter called EuroMed Projects), highlights the importance of the regulatory convergence in the EuroMed region, being one of the two major components of the Regional Transport Action Plan (RTAP) for the Mediterranean (2014-2020), along with the establishment of the future Trans-Mediterranean Transport Network (TMN-T). It also presents the selected regulatory frameworks developed under the United Nations (UN) and European Union (EU) auspices that were promoted in the region and describes the EuroMed partner country efforts and achievements.

## **Importance of regulatory convergence in promoting cross-border transport and international haulage and upgrading road transport performance in South Mediterranean region**

Roads are by far the most common transport mode for both passenger and inland freight transport, being extremely cost-efficient. However, in order for the cross-border transport by road to perform efficiently, there is a need for internationally harmonized standards and regulations. Heterogeneous transport regulations that vary from one country to another are real barriers to international transport and trade.

For more than six decades, UNECE provides a platform for intergovernmental cooperation to facilitate and develop international transport, while improving its safety and environmental performance. The results are

reflected in 58 international legal instruments. These instruments, supplemented by EU legislation, represent the best European and international practices. By applying them, EuroMed partners may only benefit, since they are effective tools not only for the facilitation and development of international transport, but also for upgrading the performance of their national inland transport systems.

At its Action 8 (Efficient Land Transport Systems) and 9 (International Land Transport Haulage), the RTAP 2014-2020, *inter alia*, advocates for a regulatory convergence promoting cross-border transport and international haulage in the region and encourages EuroMed countries to accede and effectively implement the main UN road transport agreements and conventions. Moreover, RTAP Action 8 calls partner countries to pursue efforts for improving the efficiency of the road transport sector, and addressing the professionalism of drivers, of operators, the technical state of the vehicle fleet and road safety. RTAP Action 9 also makes particular reference to the AETR, ADR, ATP, TIR Convention, Harmonization Convention, the 1958 and 1997 Agreements and describes the benefits of Mediterranean partners by becoming contracting parties to them, while RTAP Action 10 (Road Safety) encourages countries addressing the technical inspections of certain types of vehicles and the minimum standards towards which the vehicles are to be tested.

## **Main UN and EU road transport relevant regulatory frameworks selected for promotion in the EuroMed region, expected benefits**

### **Main UN road transport agreements selected**

Nine (9) road transport legal instruments were selected by the concerned countries and the EuroMed Projects to focus their efforts, representing the basic regulatory framework facilitating cross-border road transport and international haulage, increasing road safety, and upgrading road transport performance using them as models for national regulations. Here follows a short instruction of them.

### **Road transport and road safety agreements**

*The Convention on Road Traffic, of 1968*, aims at facilitating international road traffic and trade as well as tourism and increasing road safety through the adoption of uniform road traffic rules on all factors influencing international road traffic and its safety, including the driver (uniform licences, training and testing, etc.) and the vehicle. Acceding to this Convention help countries harmonise their road traffic regulatory framework with that of other 84 countries worldwide, Contracting Parties to it.

*The Convention on Road Signs and Signals, of 1968*, establishes a set of commonly agreed road signs and signals classified in three categories (danger warning, regulatory and informative), and provides for each of them definitions and physical appearance (dimensions, shapes, and colours, etc). Acceding to this Convention help countries harmonise their respective legislation and facilitate international road traffic.

*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 tonnes, or transporting more than 9 people, engaged in international road transport, from driving excessive hours and defines the control devices (tachographs) that are used to control those periods. AETR Agreement creates a level playing field in the road haulage industry, helps prevent road accidents and introduces better conditions for professional drivers.

### **Border crossing facilitation**

*The Customs Convention on the International Transport of Goods under Cover of TIR Carnets (TIR Convention), of 1975*, sets up the international Customs Transit procedure that permits the seamless international transport of goods by road through as many signing countries without undergoing customs procedures or the need to make a financial deposit at each border. The agreement provides a cross-border guarantee system to cover duties and taxes for each transport operation. *eTIR* launched as a project in 2003 to fully secure electronic data exchange among customs administrations, is being developed. The TIR Convention results to a considerable reduction of international transport costs and facilitates international transport of goods.

*The International Convention on the Harmonization of Frontier Controls of Goods (Harmonization Convention), of 1982*, is a framework Convention that facilitates international border crossing for transported goods through harmonization and reduction of administrative formalities, and of the number and duration of border controls. Thanks to this one-stop-shop principle for border controls, international freight operators save time and money.

### **Transport of dangerous goods and perishable foodstuffs**

*The Agreement concerning the International Carriage of Dangerous Goods by Road (ADR), of 1957*, aims at ensuring the highest possible level of safety for dangerous goods transport at an acceptable cost. It defines which dangerous substances are eligible for international transport and which are not and establishes the conditions under which they can be carried and provides requirements for transport operations, driver training as well as vehicle construction and approval.

*The Agreement on the International Carriage of Perishable Foodstuffs and on the Special Equipment to be Used for such Carriage (ATP), of 1970*, establishes uniform prescriptions for the preservation of the quality of perishable foodstuffs for international transport and defines uniform norms and standards for the special transport equipment required. It also sets up uniform distinguishing marks to be affixed to the specially equipped vehicles. The conformity of the equipment is displayed through an international certificate and an ATP plate affixed to the vehicle facilitating transport by avoiding repetitive controls.

## **Vehicle regulations**

*The Agreement concerning the Adoption of Uniform Technical Prescriptions for Wheeled Vehicles, Equipment and Parts which can be fitted and/or be used on Wheeled Vehicles and the Conditions for Reciprocal Recognition of Approvals granted on the basis of these Prescriptions, of 1958, (1958 Agreement)*, provides the legal framework for the development of the safety and emission regulations for all types of motor vehicles manufactured in Europe and in many other parts of the world. The legal document comprises 131 UN Regulations and has contributed considerably to technical progress, increased vehicle safety, and drastically reduced vehicle emissions.

*The Agreement concerning the Adoption of Uniform Conditions for Periodical Technical Inspections of Wheeled Vehicles and the Reciprocal Recognition of such Inspections, of 1997, (1997 Agreement)*, provides the legal framework for the technical inspections of vehicles and is especially useful for setting up national periodical technical inspection systems and minimum standards towards which the vehicles are to be tested. Accession to and implementation of this agreement help countries ensure that safer and less polluting vehicles are circulating on their roads, while the reciprocal recognition of the tests introduced by it facilitate the cross border circulation of vehicles.

## **Selected EU regulatory frameworks**

In addition to the above, that also make part of the EU road transport regulations, the following four (4) EU legal frameworks addressing the professionalism of drivers and operators as well as the technical inspections of vehicles, were selected for promotion amongst EuroMed partners.

*Regulation (EC) No 1071/2009 of the European Parliament and the Council of 21 Oct. 2009* establishing common rules concerning the conditions to be complied with to pursue the occupation of road transport operator and laying down minimum conditions governing admission to the occupation of road transport operator. The Regulation obliges undertakings to have (a) an effective and stable establishment; (b) be of good repute; (c) have appropriate financial standing; and (d) have the requisite professional competence. Such provisions have as a result the improvement of the profession of road transport operators.

## **Training of professional drivers**

*Directive 2003/59/EC of the European Parliament and of the Council of 15 July 2003* on the initial qualification and periodic training of drivers of certain road vehicles for the carriage of goods or passengers, ensuring that the driver is of a standard to have access to and carry out the activity of driving. The Regulation obliges drivers, in addition to a driving permit, to hold an initial qualification and to undergo periodic training (every 5 years) intended to improve road safety and the safety of the driver. In order to establish

that the driver complies with the obligations, the driver must possess a certificate of professional competence, referred as 'CPC'. Such provisions have as a result the improvement of the professionalism of professional drivers.

### **Technical condition of vehicles and inspection**

*Directives 2014/45/EU of 3 April 2014 and 2014/47/EU of 3 April 2014 of the European Parliament and of the Council* on periodic roadworthiness tests and on technical roadside inspection of commercial vehicles, respectively, ensuring that vehicles are kept in a safe and environmentally acceptable condition during their use, following the technical standards and requirements applicable in the Union in accordance with the set UN Agreements and Regulations and the EU legislation.

### **EuroMed partner country efforts and achievements with EuroMed TSP and RRU support**

Harmonization of national legislation in the region along the said legal frameworks, is rigorously promoted through regional and national workshops, seminars and technical assistance missions organized by EuroMed Projects in all partner countries. Study tours were held under EuroMed Projects, in Geneva, Switzerland and Haute Savoie, France and in Padua-Vicenza-Venice area, Italy. Roadmaps on accession and implementation of AETR, ATP and 1958 and 1997 Agreements were elaborated and published in cooperation with UNECE. High-level participation of EuroMed officials in the work of selected UNECE intergovernmental bodies in Geneva, were encouraged and facilitated. National strategies were elaborated and or reviewed with EuroMed Projects support, aimed at promoting accession to and effective implementation of UN Agreements along with studies, analytical work, economic impact assessments, and pilot actions.

These efforts raised awareness amongst EuroMed partners on the vital importance of the UN Agreements and respective EU legislation and helped them familiarize with the relevant work of UNECE and EU. National legislations have been modified in almost all EuroMed partners, inspired by those UN Agreements and EU best practices, while accession and implementation to these agreements is ongoing. The accession of Palestine to the TIR Convention, in 2017 and to the Road Traffic Convention, in 2019 as well as that of Tunisia to the 1997 Agreement, in 2020, are among the concrete achievements, while Egypt's accession to the TIR Convention is forthcoming. Moreover, EuroMed partner efforts led to the opening of AETR to Algeria, Jordan, Lebanon, Morocco, and Tunisia, while soon AETR will be opened also to Egypt.

Concerted efforts are also pursued in the region for enhancing professionalism of drivers and operators as well as technical state of vehicle fleet. Mandatory training for professional drivers of certain road vehicles categories inspired by Directive 2003/59/EC is pursued already by some EuroMed partners and their drivers safety performance is being improved by respecting driving and rest times rules following the AETR

Agreement. Rules for the access to the profession of transport operator inspired by Regulation 1071/2009/EC are applied in several EuroMed countries and same is valid the transport of dangerous goods. The technical state of the vehicle circulating in the region has been drastically improved through the application of some of the Regulations annexed to the UN 1958 and 1997 Agreements and EU best practice, including elements of Directives 2014/45/EU and 2014/47/EU.

EuroMed Projects have been instrumental in assisting partner countries, harmonize their transport regulations and enhance the performance of transport operations in the region in support of the implementation of the regulatory aspects of the RTAP 2014 – 2020. However, in spite the efforts, as seen in the following table, accession to the selected UN road transport legal instruments is still not well advanced. Lack of Human resources at the concerned Ministries and lack or limited cross-border road freight transport operations reducing the urgency of the need for harmonisation, are among the problems facing EuroMed countries with regard to their accession to these legal instruments. The Covid-19 pandemic has also negatively affected this process.

**EuroMed Partners' Accession to the selected UN road transport legal instruments, October 2020**

No	UNECE International Conventions and Agreements (EuroMed Project beneficiary countries)	Algeria	Egypt	Israel	Jordan	Lebanon	Lybia	Morocco	Palestine	Syria	Tunisia
1	Convention on Road Traffic, of 1968			✓				✓	✓		✓
2	Convention on Road Signs and Signals, of 1968							✓			✓
3	European Agreement concerning the Work of Crews of Vehicles engaged in International Road Traffic (AETR), of 1970										
4	The Customs Convention on the International Transport of Goods under Cover of TIR Carnets, of 1975 (TIR Convention)	✓		✓	✓	✓		✓	✓	✓	✓
5	International Convention on the Harmonization of Frontier Controls of Goods, Geneva, of 1982 (Harmonization Convention)				✓			✓			✓
6	European Agreement concerning the International Carriage of Dangerous Goods by Road (ADR), of 1957							✓			✓
7	Agreement on the International Carriage of Perishable Foodstuffs and on the Special Equipment to be Used for such Carriage (ATP), of 1970							✓			✓
8	Agreement concerning the adoption of uniform technical prescriptions for wheeled vehicles, equipment and parts which can be fitted and/or be used on wheeled vehicles and the conditions for reciprocal recognition of approvals granted on the basis of these prescriptions, of 1958		✓								✓
9	Agreement concerning the adoption of uniform conditions for periodical technical inspections of wheeled vehicles and the reciprocal recognition of such inspections, of 1997										✓

Source: EuroMed Transport Support Project

## Conclusions, recommendations

The high importance of the regulatory convergence in promoting cross-border transport and international haulage and upgrading road transport performance in South Mediterranean region, has become apparent to EuroMed partner countries. However, while the focus of the efforts was towards road haulage, which holds

the largest share of the overall freight land transport movements, the cross-border road freight transport in the South Mediterranean region remains rather limited, due to subregional conflicts and security concerns.

While EuroMed partners have made substantive progress in the past years, a lot of efforts are still required. Regulatory reform and convergence of transport legislation, development of harmonized transport rules and standards, higher professionalism for drivers and operators and improved technical state of the vehicle fleets, should remain the highest priority in the region, since they are considered prerequisites for the development of efficient land transport systems for the promotion of cross-border transport and international haulage. Accompanied with National Strategies, including on Road Safety, Intelligent Transport Systems (ITS) and Digitalization of Transport, will lead to enhanced operations and management of transport systems, reduced congestion and GHG emissions and improved network efficiency.

Moreover, existing national inland transport strategies should be reviewed and whenever not in place elaborated. Such strategies should define national regulatory approaches for improving the road transport system, facilitating cross-border transport and international haulage, and improving road safety, for which accession and full implementation of the said UN legal instruments is essential. Strategies should also address climate change with all its adverse effects, being the biggest social and environmental challenges before the global economy, taking note that transport is responsible for 27% of total EU-28 Greenhouse Gas emissions, 72% of which come from road transport (EEA, 2017).

## **Reference List:**

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