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EDITORIAL

Dear Readers,

On 7 November 2023, OTIF – or more precisely the Berne Union – celebrated two birthdays: 130 years of CIM and 95 years of the CIV. Following the celebration of the 20th anniversary of the adoption of the Vilnius Protocol in 2019, this was another good reason to honour another important anniversary in international rail transport law in an appropriate setting.

The event marked the start of the 5th meeting of the ad hoc Committee on Legal Affairs and International Cooperation. It provided the opportunity for a historical review, an assessment of the current situation and, in particular, a discussion of the question of whether international rail transport law should be subject to fundamental reform.

There were some very well-founded and quite controversial contributions from the delegates of the OTIF members and from the sector and scientific community. We would like to take this opportunity to thank everyone who contributed to the success of this event.

The new Bulletin contains further contributions on the Secretary General's visits to China and Georgia, which illustrate the extent of the scope of COTIF and its possible expansion. The scope of COTIF is no longer limited to Europe and North Africa.

This edition of the Bulletin is rounded off by a report of the 51st session of the technology working group, which met in London at the invitation of the United Kingdom, some information on the progress of work on renovating the OTIF building, and the announcement of OTIF's 16th General Assembly in September 2024, which is already on the horizon.

I wish you all season's greetings and all the best for next year!

Wolfgang Küpper Secretary General



Hans Erni, mural, approximately 20m2, 1965, entrance to the Secretariat

GLOBAL SUSTAINABLE TRANSPORT FORUM IN BEIJING

On 25 and 26 September 2023, the Global Sustainable Transport Forum was held in Beijing under the auspices of the Ministry of Transport of the People's Republic of China. The Forum is a response to the Beijing Statement of 14 October 2021, published following the second United Nations Global Sustainable Transport Conference.

The Secretary General of the Intergovernmental Organisation for International Carriage by Rail (OTIF), Mr Wolfgang Küpper, and the Head of the OTIF Secretariat's Legal Department, Mr Aleksandr Kuzmenko, were invited to take part.

The Forum was entitled "Sustainable transport: working together to promote global development".

The Secretary General spoke on three occasions.

Firstly, on 25 September 2023, he took part in the plenary session's opening ceremony. Then, as part of the introductory remarks to the workshop entitled "For a More

Digitalized, Greener and Smarter Development of the Rail Transport Sector", he presented OTIF and its importance in the development of Euro-Asian traffic. He emphasised that the aim of OTIF was to ensure the legal and technical interoperability of cross-border rail transport and to enable the uniform application of similar legal rules with regard to contracts of carriage, the transport of dangerous goods and technical interoperability. Other speakers during the introductory remarks included Mr Fei Dongbin, Administrator of the National Railway Administration (NRA), Mr He Huawu, Academician of the Chinese Academy of Engineering, Mr Mirosław Antonowicz, Chairman of the Organisation for Co-operation between Railways (OSJD), Mr Qian Ming, Deputy General Manager of the China State Railway Group Co, Ltd. (CHINA RAILWAY) and Mr Sun Yongcai, Chairman of the Board of the China Railway Rolling Stock Corporation Limited (CRRC).

Then, on 26 September 2023 during session 3, entitled "Innovation-driven Development: Embracing the Bright Future of



Global Smart Transport", he gave a presentation on the importance of modern and harmonised international rail transport law. Session 3 was chaired by Mr Fei Dongbin, Administrator of the National Railway Administration (NRA), and was moderated by Mr Ismail Abdel Ghafar Ismail Farag, President of the Arab Academy for Science, Technology and Maritime Transport.

Lastly, the Secretary General of OTIF gave a speech at the "Ministers' Round Table: Global Governance: Building a Global Sustainable Transport Partnership".



The following is a transcript:

"Excellencies, Distinguished delegates , Ladies and Gentlemen

I am particularly honoured to be allowed to speak to this Ministers' round table as the Secretary General of OTIF.

This demonstrates the importance of international railway transport as

both a solution and an important means for achieving a sustainable and greener transport system in the future.

However, the improving political framework for rail transport is by no means restricted to Asia and Europe.

There is currently a worldwide opportunity and demand for all kinds of railway transport and railway systems.

The international role of the COTIF Convention and OTIF has greatly increased over the years, as evidenced by a number of facts:

First, in 2019 there was the 20th anniversary of the Vilnius Protocol. OTIF has emerged strengthened from the Vilnius process. OTIF has shown that it is highly adaptable and this flexibility will be vital for its future tasks as well.

For OTIF however, the Vilnius

Protocol also meant new responsibilities for technical interoperability and harmonisation beyond the European Union.

Technical harmonisation was no longer a matter for the railways, but was cast in terms of clear state specifications. The ATMF and APTU Appendices are now an indispensable part of the acquis.

Secondly, the strong interest in OTIF's overall legal acquis is growing accordingly. The RID rules are a good example of wellexecuted provisions based on a multilateral approach, which are consequently adapted and modernised in short cycles. There is worldwide interest in applying this important part of COTIF.

Lastly, the desire to accede to OTIF is undiminished. The potential of Eurasian container transport by rail is still there. Rail transport is faster than transport by sea and cheaper than transport by plane.

The sector has expressed a strong desire to carry out these transport operations by means of a wellfunctioning, flexible and modern legal system of transport law.

I am sure that all these changes will enable OTIF and its partners to achieve the ambition of contributing to the enhancement of the legal conditions for the delivery of effective international rail transport.

I wish you valuable and productive discussions."

The Secretary General of OTIF warmly thanks the Ministry of Transport of the People's Republic of China for its invitation and the excellent organisation of the event. He welcomed OTIF's participation in this Forum.

SUMMIT MEETING: OTIF – NRA

On 27 September 2023, the Secretary General of OTIF, Mr Wolfgang Küpper, met the Director of the Chinese National Railway Administration (NRA), Mr Fei Dongbin, in Beijing. The meeting marks the strengthened cooperation between OTIF and the NRA on the basis of the memorandum of understanding signed in 2016.

In particular, Mr Küpper and Mr Fei discussed the next steps in the process of China's accession to OTIF.

The Secretary General welcomed this meeting and thanks the Director of the NRA.



VISIT TO THE FEDERAL MINISTRY FOR DIGITAL AND TRANSPORT IN BERLIN

On 13 October, the Secretary General of OTIF, Mr Wolfgang Küpper, travelled to Berlin to the German Federal Ministry for Digital and Transport (BMDV). He met Ms Corinna Salander, who has recently been appointed "Head of Railway

COURTESY VISIT

On 19 October 2023, H.E. Ms Andrea Bekić, Ambassador of Croatia, paid a courtesy visit to the temporary premises of the Intergovernmental Organisation for International Carriage by Rail. She had talks with the Secretary General of OTIF, Mr Wolfgang Küpper, who described to her the role and activities of OTIF.

The Secretary General welcomed these discussions and thanks the Ambassador for her visit.

Department" at the BMDV.

The purpose of the meeting was for the Secretary General to present the work currently being carried out within OTIF, particularly the draft long-term strategy. The Secretary General of OTIF warmly thanks Ms Corinna Salander for her availability and their interesting discussions.



MEETINGS AT THE 4th SILK ROAD FORUM IN TBILISI

The 4th Silk Road Forum was held in Tbilisi on 26 and 27 October 2023. The event was entitled "Connecting Today, Resilient Tomorrow", and was organised by the Ministry of the Economy and Sustainable Development and the Ministry of Foreign Affairs of Georgia.

The Secretary General of OTIF, Mr Wolfgang Küpper, attended the event. The Middle Corridor is seen as an important alternative in terms of transferring a huge part of the still growing and important Euro-Asian container transport by rail to this route. Nevertheless, the precondition for this development is peace and political stability in the region. During the Forum, Mr Küpper met Mr Guram Guramishvili, Deputy Minister of Economy and Sustainable Development of Georgia, and Mr Erekle Kezherashvili, Director of the Rail Transport Agency of Georgia. Both sides discussed the role of Georgia in OTIF and the role of OTIF for Georgia. Georgia is very much interested in OTIF's work and is an active member of the Administrative Committee. Mr Küpper, Mr Guramishvili and Mr Kezherashvili

agreed that membership of OTIF is of significant mutual benefit.

Mr Guramishvili and Mr Kezherashvili emphasised that investment in and the improvement of the international Baku-Tbilisi-Kars (BTK) railway line are ongoing. Georgia is investing heavily in rail infrastructure and rolling stock at both national and international level. The main work (national and for BTK) will be finished by the end of next year.

The Secretary General of OTIF explained the functioning and background of the Luxembourg Rail Protocol, its benefits and OTIF's future role as the Secretariat of the Supervisory Authority for the Protocol.

The Secretary General welcomed this meeting.



Guram Guramishvili (left), Erekle Kezherashvili (right)



ANNIVERSARIES OF THE CIM AND CIV UNIFORM RULES

On 7 November 2023, with the support of the Federal Office of Transport and the Federal Department of Foreign Affairs of the Swiss Confederation, OTIF celebrated the 130th and 95th anniversaries respectively of the entry into force of the Uniform Rules (UR) concerning the Contract of International Carriage of Goods by Rail (CIM) and the Uniform Rules concerning the Contract of International Carriage of Passengers by Rail (CIV).

The event, entitled "The CIM UR and CIV UR: feedback and prospects", brought together more than 70 participants and 15 speakers. Three discussions in the form of round tables were organised. The aim was to give a voice to the direct users of CIV and CIM and to hear about their experiences and requirements.

The opening speeches at the event were given by Mr Wolfgang Küpper, Secretary General of OTIF, Ms Andrea Pearson, Vice-Chair of the ad hoc Committee on Legal Affairs and International Cooperation and Deputy Director of International Rail Transport and Rail Freight at the UK Department for Transport, and Mr Peter König, delegate for legal issues relating to digitalisation at the Swiss Federal Office of Transport. The conclusions at the end of the day were delivered by Mr Gilles Mugnier of the International Rail Transport Committee and Mr Wolfgang Küpper.

The discussions throughout the event were lively, interesting and very informative. The Secretariat would like to thank all the speakers for their presence, their availability and their expertise: Mr Oktay Aydinoğlu, Deputy Head of Freight Department, TCDD Transport JSC; Mr Paul-Emile Boutin, Legal Advisor, SNCF Voyageurs; Mr Cristian Cuenca, Legal Advisor, Head of Customs and Insurance, DB Cargo AG; Mr Marc Debrincat, Representative of the European Passengers' Federation as general delegate of the (French) National Association of Transport Users:

Mr Andreas Felder (moderator), Joint Head of International Affairs, Swiss Federal Office of Transport; Ms Clio Liégeois (moderator), legal advisor, Head of the "Regulations" Department of the DG Sustainable Mobility and Rail Policy of the Belgian Federal Public Transport Service; Mr Christophe Paulin, University Professor, Toulouse Capitole University: Mr Darius Pranka, Head of Document Digitalisation and Compliance, Lithuanian Railways, LTG Cargo; Ms Nina Scherf, Senior Legal Advisor, International Rail Transport Committee (CIT); Mr Wessel Sijl, Director of Customs and Transport Legislation, DB Cargo Nederland N.V; Mr Philip Van den Bosch (moderator), Deputy Director of Freight, International Union of Railways (UIC); Mr Gerald Wieser, Head of Claims and Insurance, Rail Cargo Group; Ms Susanna Zappa, Customs Specialist, SBB Cargo.

The full programme is available here.



STANDING WORKING GROUP TECHNOLOGY (WG TECH) IN LONDON

The 51st session of the standing working group technology was held on 14 and 15 November 2023 in London in a hybrid format. It was hosted and supported by the United Kingdom's Department for Transport (DfT), which was responsible for organising the event. Discussions on the revision of certain Uniform Technical Prescriptions (UTP) were initiated at this session. In particular, the focus was on the UTP Wagons, Noise and TCRC. Discussions then continued on the explanatory document for the UTP TCRC, the application guide for the UTP LOC&PAS and lastly, the drafting of Annex D to the Uniform Rules concerning the Safe Operation of Trains in International Traffic.

On the afternoon of 15 November, all participants were offered a tour

of Eurostar's Engineering Centre at Temple Mills Depot.

The OTIF Secretariat would like to thank the UK Department for Transport for its hospitality and support.

OTIF'S 16th GENERAL ASSEMBLY: 25 AND 26 SEPTEMBER 2024

The 16th General Assembly of the Intergovernmental Organisation for International Carriage by Rail will be held on 25 and 26 September 2024 in Berne, at the Universal Postal Union.

The General Assembly is made up of all members of OTIF. It is OTIF's supreme decision-making body (Article 14 of COTIF 1999). Upon invitation, states interested in acceding to COTIF and international organisations and associations linked to the rail sector may also attend the Assembly as observers.

At its 16th session, the General Assembly will elect the Secretary General (Call for applications for the election of the Secretary General), designate the members of the Administrative Committee, adopt the long-term strategy and set the Organisation's maximum expenditure.

NEWS | COTIF

DEPOSITARY NOTIFICATIONS since last Bulletin September 2023 (Bulletin 3/2023)

NOT-23018	19.9.2023	Norway – Approval of the amendments to COTIF and Appendices D, F and G adopted by the 12 th General Assembly
NOT-23019	19.9.2023	Norway – Approval of the modifications to COTIF and to Appendices E and G adopted by the 13 th General Assembly
NOT-23022	30.11.2023	Entry into force of the provisions adopted by the Committee of Technical Experts at its 15 th session held on 13 and 14 June 2023.

INTER-REGIONAL WORKSHOP ON MULTIMODAL TRANSPORT CORRIDOR MANAGEMENT

On 4 September 2023, an interregional workshop on multimodal transport corridor management was held in the framework of the UNECE Working Party on Transport Trends and Economics (WP.5).

The workshop was held partly in a hvbrid format in order to broaden the consultations. It was organised by the UNECE Secretariat, with the assistance of representatives of the four other United Nations regional commissions - the Economic Commission for Africa, the Economic and Social Commission for Western Asia, the Economic Commission for Latin America and the Caribbean, and the Economic and Social Commission for Asia and the Pacific - which have defined best practice methods within their respective regions with a view to presenting them.

The workshop was addressed to relevant national actors, including transport ministries, national railway undertakings, transport infrastructure managers and operators, private sector associations, NGOs and academia. The aim of the workshop was to provide a platform to:

- exchange views on latest trends, opportunities, and challenges in the field of multimodal transport corridor management with a focus on legal, institutional, and regulatory aspects, across regions;
- discuss the role of introducing a formalised corridor management mechanism as a tool to reduce levels of regulatory and institutional fragmentation, thereby boosting international/ corridor-wide operationalisation efforts;
- identify a number of universal recommendations and common principles for enhanced transport corridor management at regional and inter-regional levels.

The workshop was divided into several sessions looking at the following issues:

- Setting the scene - Putting in

place a regulatory framework for multimodal corridor management

- Lessons learned from corridor management approaches in the Euro-Asian region
- Middle East/North Africa region
- Latin America region
- Experiences with and funding options for multimodal transport corridor management

Alongside other eminent speakers from Europe, Asia, the Near and Middle East, Africa and Latin America in the various sessions of the workshop, the OTIF Secretariat was invited to present how COTIF and its appendices can facilitate international rail freight transport in the Eurasian region and thus provide some food for thought on its current application or on the possible extension of its application in the future.

Iris Gries

RENOVATION WORK AT OTIF'S HEADQUARTERS

Work on renovating OTIF's headquarters will begin in January 2024.

Planning permission was obtained in December 2022, but the final decisions on diversifying the funding of the project were only taken in November 2023. The work will be financed by a loan at a preferential rate obtained from the host state (Swiss Confederation, Canton of Berne and City of Berne) and by the Organisation's own funds.

The renovation will be a step forward in terms of sustainable

development, with the Organisation aiming for "Minergie Eco" certification for the building. With this certification, in addition to significantly reducing its energy consumption in future years, the Organisation is aiming for a "healthier" building, as the materials used by the companies involved in the renovation project must be environmentally friendly and free of harmful substances.

The building will be future-proof and will provide flexibility, enabling the various possible scenarios for the next 50 to 60 years to be covered: the accession of new members, the organisation of meetings of the OTIF organs at the headquarters with simultaneous interpretation, the addition of new working languages, new tasks for OTIF, etc.

The renovation work will last until the first quarter of 2025.

Lunesterline Andriamahatahitry

OTIF REFLECTS THE ZEITGEIST OF LINGUISTIC EQUALITY

In the last issue of the Bulletin (see Bulletin 2023-3, p. 9), we published an article entitled "Use of gender-neutral language in OTIF" on the "Guidelines on the use of gender-neutral language", which were produced by the Secretariat's Translation Department on behalf of OTIF's ad hoc Committee on Legal Affairs and International Cooperation.

These guidelines are an internal tool that contain recommendations and guidance on using inclusive language in a more genderequitable way in accordance with linguistic norms and practices. They are intended to facilitate the "inclusive" drafting of the Organisation's institutional law texts, as well as all its various publications and communication texts.

The Communication Department has now given this modern, flexible - i.e. "living" - tool a suitable appearance. It can now be found on OTIF's website under the following link: https://otif.org/ en/?page_id=7325

Joana Meenken



RESULTS OF THE 6th SESSION OF THE JOINT COORDINATING GROUP OF EXPERTS (JCGE)

At its 6th session on 6 September 2023, the Joint Coordinating Group of Experts (JCGE) issued advice concerning the migration of wagon-related requirements from RID to UTPs and TSIs. This advice is an important step in implementing the conclusions of the RID-ATMF Working Group in 2017, i.e. that the high-level safety objectives concerning vehicles transporting dangerous goods should be reflected in RID, while the vehicle-related requirements should be included in the relevant UTP and TSI. This article explains the benefits of this approach and how the work was carried out, and summarises the proposed amendments to RID and UTP/TSI.

The JCGE meeting was hosted in Bern by the OTIF Secretariat and was held in a hybrid format. Delegates from the following Member States attended the meeting: Albania, Algeria, Austria, Belgium, Croatia, Finland, Georgia, Germany, Hungary, Italy, Latvia, Lithuania, Morocco, Netherlands, Poland, Switzerland and Türkiye.

The European Commission and the European Union Agency for Railways (ERA) represented the European Union.

The sector was represented by the following stakeholders: Community of European Railway and Infrastructure Companies (CER), European Chemical Industry Council (Cefic), Association of Notified Bodies (NBRail), International Union of Railways (UIC) and the International Union of Wagon Keepers (UIP). A representative of the Gulf Cooperation Council (GCC) also attended the session.

Mr Rainer Kogelheide (UIP) was nominated and elected to chair the session.

Wagon-related requirements currently set out in RID include the absorption of forces under the maximum permissible load for tankwagons, the minimum distance between the buffers and the shell, the minimum energy absorption in the event of a collision or accident, and measures to avoid overriding of buffers or to limit damage when buffers override. The migration of wagon-related requirements from RID to UTPs and TSIs has come at the right time, given that the development of the specifications and the future implementation of digital automatic coupling (DAC) and its impact on the transport of dangerous goods have been discussed both within OTIF and the EU.

The migration of vehicle-related requirements to TSIs/UTPs will facilitate the TSI/UTP notified bodies'/assessing entities' assessment of the existing requirements of RID and will avoid the risk of duplicated checks or inconsistency in the assessment process. This will also clarify the requirements that would need to be assessed.

The migration will also facilitate the future revision process of the TSI WAG and the TSI LOC&PAS in terms of introducing the DAC and other safety-related requirements, as well as their future use in freight wagons intended to carry dangerous goods with an equivalent or higher safety level.

There will also be advantages with regard to vehicle marking, where the application of a tank marking (TC and TE) will be supplemented by the new vehicle equipment marking (wagon equipment (WE)) that will indicate the protective measures on board the vehicle and relate to the types of substances that may be carried. Prior to the JCGE meeting, ERA held several workshops and meetings of experts to prepare the draft texts as the basis for JCGE's advice. ERA included RID experts and technical interoperability and safety experts from the sector, the competent authorities and the OTIF Secretariat. At these meetings, the experts identified the necessary requirements and drafted amendments for both RID and the TSIs/UTPs, whilst ensuring consistency between the two areas of legislation.

The main elements of the proposed amendments concerning RID

- Introduction of high-level safety objectives concerning vehicle-related provisions in Chapter 7.1 and deletion of the provisions that will in future be dealt with in UTP Wagon/TSI Wagon
- Addition of a new definition of "assessing entity" and a new abbreviation "UTP WAG" and references to the terms used in European Union legislation
- Addition of a new column in Table A of Chapter 3.2 and assignment of special provisions for wagon equipment (WE) to the UN numbers concerned
- Introduction of transitional measures to ensure the consistent application of

marking for tank equipment (TC and TE) and wagon equipment (WE) respectively.

The main elements of the proposed amendments concerning UTP Wagon/TSI Wagon

- Introduction of the new clause in the main legal text on Specific requirements for wagons in the scope of Chapter 7.1 of RID
- Introduction of a new Appendix I - Specific requirements for wagons intended for the transport of dangerous goods, setting out the detailed vehicle requirements to meet the highlevel safety objectives specified by RID
- For the TSI WAG specifically,

an amendment to include compliance with WE of RID as a new parameter in the European Register of Authorised Type of Vehicles (ERATV).

In its role as defined in its Rules of Procedure, JCGE submitted its advice, which was signed by the Chair of the meeting, to the following Committees:

- OTIF's RID Committee of Experts (RID)
- OTIF's Committee of Technical Expert (CTE)
- The European Commission's Committee on the Transport of Dangerous Goods (TDG)
- The European Commission's Railway Interoperability and Safety Committee (RISC).

Each of the Committees mentioned above should consider the JCGE advice and the adoption of the proposed amendments that are within their remit. The timing will depend on the work programme of each Committee. This means that completion of all the requisite procedures and entry into force of the provisions can be expected in January 2027.

The next JCGE meeting is scheduled for 17 September 2024 in Bern, Switzerland. It will be held in a hybrid format.

The JCGE advice and report of the meeting can be found on OTIF's website: Activities > Dangerous Goods > Joint Coordinating Group of Experts > Reports

Technical Interoperability and RID Departments

62nd SESSION OF THE UN SUB-COMMITTEE OF EXPERTS ON THE TRANSPORT OF DANGEROUS GOODS (Geneva, 3 – 7 July 2023)

The 62nd session of the UN Sub-Committee of Experts was the first session in the 2023/2024 bienni-um. The decisions of the UN Sub-Committee of Experts are incorporated into the 24th revised edition of the UN Model Regulations and form the common basis for all the mode-specific dangerous goods regulations. In the context of harmonising RID/ADR/ADN with the UN Recommendations on the Transport of Dangerous Goods, these decisions will later be carried over into the 2027 editions of RID, ADR and ADN. Traditionally, few decisions are made at the first meeting of the biennium, but the work priorities for the biennium become apparent.

Opening of the session

As announced at the last session, this UN Sub-Committee of Experts meeting was held as an in-person only event due to the global abatement of the COVID-19 pandemic.

Classification issues

Subsidiary hazard of corrosivity for ethylene oxide and mixtures of ethylene oxide with nitrogen or carbon dioxide

As part of the fourteenth Adaptation to Technical Progress (ATP) of Regulation No 1272/2008 of the European Parliament and of the Council on classification, labelling and packaging of substances and mixtures (CLP), which entered into force on 9 September 2021, the subsidiary hazard of corrosivity was established for ethylene oxide. Based on the available data, it can be stated that ethylene oxide can lead to irreversible damage to skin even in lower concentrations. For UN Nos. 1040, 1041 and 3300, which include ethylene oxide alone or mixtures of ethylene oxide with nitrogen or carbon dioxide, Germany proposed to include the hazard of corrosivity and consequently to prohibit carriage in portable tanks.

While most delegates agreed to change the classification, there was no majority in favour of the proposal to prohibit carriage in portable tanks. Bearing in mind the comments made, the representative of Germany will return to the issue at a later meeting

Alcoholic beverages

In the classification provisions for Class 3, the packing group is determined on the basis of the flashpoint.

In Table A, alcoholic beverages with more than 70% alcohol by volume are assigned to packing group II; alcoholic beverages with more than 24% but not more than 70% alcohol by volume are assigned to packing group III. However, the flashpoint of alcoholic beverages depends not only on their alcohol content, but also on other components. The flashpoint of beverages with an alcohol content of slightly less than 70% may sometimes be below 23°C, which means that they should be classified as a substance of packing group II.

In China's view, the reference to packing group III in special provision 145 causes problems because this provision is sometimes interpreted to mean that the packing group must first be determined on the basis of the criteria for Class 3. In order to avoid this misinterpretation, the UN Sub-Committee of Experts agreed to China's proposal to refer to the alcohol content rather than the packing group in special provision 145.

UN 1362 Carbon, activated

Activated carbon is used in a wide variety of processes, e.g. the treatment and purification of drinking water, pharmaceutical manufacturing, flue gas treatment and personal protection equipment. Activated carbon is traded globally, with most manufacture occurring in Asia.

There are a variety of methods for the manufacture of activated carbon:

- Physical or steam activation: an organic char of a material high in fixed carbon content (e.g. coal, lignite, peat, wood or even nut shells) is exposed to a temperature of more than 800°C in a controlled gas environment, and steam is used as a promoter in the activation process.
- Chemical activation: in this

process, an uncarbonised material high in fixed carbon and lignin content (e.g. wood) is mixed with a chemical promoter (typically phosphoric acid or zinc chloride) and heated at temperatures of between 400 and 600°C. Charring and activation are undertaken in a single process step.

Activation creates a highly porous structure with an internal surface area of more than 300 to 2000 m²/g of carbon, i.e. the internal surface area of 4 grams of activated carbon can reach the area of a football field.

The physico-chemical properties and surface reactivity of these substances vary greatly depending on the raw material used, but above all because of the activation process used. Steam activated carbon generally consists of a high degree of oxidised internal surface that is predominantly microporous (< 2 nm in diameter). This results in a product of low surface reactivity and low propensity to exhibit selfheating properties. Chemically activated carbon generally consists of a low degree of oxidised internal surface that is predominantly mesoporous (> 2 nm in diameter). This results in a product of moderate reactivity and known propensity to exhibit self-heating properties.

Steam activated coal is already exempted from the provisions in various mode-specific regulations, e.g. RID/ADR/ADN, by special provision 646.

The European Chemical Industry Council (Cefic) proposed to use UN number 1362 only for chemically activated carbon, thereby generally excluding steam activated carbon from the scope of the dangerous goods regulations.

Although the proposal was supported in principle, the meeting preferred to keep the various possible methods of carbon activation flexible and to provide clarification by means of a special provision. It was noted that the proposed amendment to the proper shipping name might no longer be appropriate in the event of future technological developments. The representative of Cefic will revise the proposal in light of the comments made.

Infectious substances

The indicative list of infectious substances in 2.2.62.1.4.1, which fall under Category A in all forms, lists the infectious substances that pose the greatest risk to public health and safety, and as such, are subject to the strictest provisions for transport. This list is regularly reviewed in order to take new information and developments in infectious disease research into account.

Notwithstanding this, the recent outbreak of monkeypox has highlighted the importance of an indicative list of Category A infectious substances that is updated at frequent intervals and is based on a sound riskbased approach and that can be amended in response to pathogens causing an outbreak. In order to ensure rapid and regular updating of the indicative list of Category A infectious substances by an organisation actively involved in dealing with public health emergencies, the World Health Organization (WHO) recommended that responsibility for reviewing the list be transferred to WHO. In addition, it should be made possible for the current list to be published on the WHO website.

The UN Sub-Committee of Experts welcomed WHO's initiative to revise the indicative list of Category A infectious substances in the UN Model Regulations and, in so doing, to take into account the potential risks to humans and animals and the hazards of transporting such infectious substances. The representative of WHO will draft a proposal for a sustainable and flexible review process for the next meeting of the UN Sub-Committee of Experts.

UN 2372 1,2-Di-(dimethylamino) ethane

1,2-Di-(dimethylamino) ethane is a polymerisation catalyst and is used. for example, for the polymerisation of acrylamide. This substance has a flashpoint of between 17 and 20°C and a boiling point of 121°C. These properties led to UN number 2372 being classified as a flammable liquid of packing group Il in 1974. However, according to the EU Chemicals Regulation (REACH), the substance also has corrosive properties. Tests conducted in 2000 with New Zealand white rabbits showed damage to the skin that would also lead to classification as a Class 8 corrosive substance according to the criteria of the dangerous goods regulations. A corrosive/ irritant effect on the skin has also been established according to the Globally Harmonized System of Classification and Labelling of Chemicals (GHS).

In Belgium's view, this data situation would mean that the substance would be assigned the subsidiary hazard of corrosivity and that the Class 8 danger label would also be used for transport in addition to the Class 3 danger label. For carriage in portable tanks, tank code T7 would have to be applied instead of tank code T4, which would primarily mean that for the tank, a test pressure of 4 bar would have to be applied. Since no incidents have been noted with the T4 tanks used up to now, they could continue to be used by means of a transitional measure.

There was a great deal of support for Belgium's proposal at the UN

Sub-Committee of Experts. Belgium was asked to check whether other amino compounds might also have to be considered or whether it might also be appropriate to assign these substances to packing group I.

Liquid organic hydrogen carrier

Hydrogen will play an important role in decarbonising energy systems. There are various possibilities for the carriage of hydrogen. The various possibilities must be reflected in the transport provisions. One option is the chemical binding of hydrogen molecules to chemical carriers.

Benzyltoluene, which is assigned to entry UN 3082 Environmentally dangerous substance, liquid, n.o.s. of Class 9, may be used as a liquid organic hydrogen carrier, where the hydrogen is chemically bonded to the hydrogen carrier. Under normal conditions of carriage, the chemically bound hydrogen cannot be released. In order to be released, a catalytic system and suitable temperatures are necessary. In addition to the chemically bound hydrogen, traces of physically dissolved hydrogen are found in the liquid organic hydrogen carrier due to high partial pressures of the hydrogen during the reaction. Tests examined the formation of a potentially explosive atmosphere above the liquid phase of the organic hydrogen carrier due to the release of physically dissolved hydrogen. Ignition experiments revealed that there is a small risk of an explosive atmosphere.

One result of these tests is that a suitable limit for physically dissolved hydrogen must be defined in order to minimise the risks during transport. The dangerous goods regulations already contain a threshold for the emission of flammable gases by substances of Class 4.3 (substances which, in contact with water, emit flammable gases). This limit is 1 litre of flammable gas emitted in one hour from one kilogram of transported substance. This limit could also be applied to hydrogen by analogy, although for reasons of safety, the value should be limited to 0.5 litres of hydrogen per kilogram of organic hydrogen carrier.

The UN Sub-Committee of Experts welcomed a proposal by Germany to this effect and underlined the importance of the safe carriage of liquid organic hydrogen carriers in the context of the green energy transition. The discussion will be continued at the next session.

Determining the major hazard

For substances, solutions and mixtures whose dangerous properties fall into more than one class, RID/ADR 2.1.3.5.3 specifies how the major hazard is to be determined. However, for corrosive substances of Class 8 that also have inhalation toxicity for dusts and mists in the packing group I range, there is some discrepancy in determining whether toxicity or corrosivity takes precedence.

According to RID/ADR

2.2.61.1.7.2, corrosive substances of Class 8 which have an inhalation toxicity of dusts and mists leading to packing group I and which also have a toxicity through oral ingestion or dermal contact at least in the range of packing groups I or II are assigned to Class 6.1.

According to RID/ADR 2.2.8.1.4.5, corrosive substances of Class 8 having an inhalation toxicity of dusts and mists in the range of packing group I, but toxicity through oral ingestion or dermal contact only in the range of packing group III or less, are assigned to Class 8.

This wording implies that corrosive substances which, in addition to

an inhalation toxicity in the range of packing group I, also have toxicity through oral ingestion in the range of packing group III, but dermal toxicity in the range of packing group I or II, can be assigned to Class 8.

The UN Sub-Committee of Experts recognised this problem and made the necessary amendments to ensure that for classification in Class 8, both oral ingestion toxicity and dermal toxicity must be in the range of packing group III or less.

Hermetically sealed packagings

Various packing instructions require packagings to be hermetically sealed. For flammable liquids, flammable gases, toxic gases, substances liable to spontaneous combustion and for substances which, in contact with water, emit flammable gases, the inner packaging must already be hermetically sealed, whereas for toxic substances and corrosive substances, the requirement for hermetic sealing applies to the combination packaging.

In the Netherlands, port inspections revealed that in some cases the supposed hermetic sealing of packages did not work properly. These irregularities were found in containers carried in accordance with the IMDG Code. Traces of the dangerous goods being carried, as well as reaction products, were regularly encountered in the atmosphere of the container or outside the container during gas measurements prior to inspections. In some cases, these irregularities were due to incorrectly sealed packagings. However, in other cases the dangerous goods were found to have egressed from approved intact packagings.

The possibility of dangerous goods escaping from a packaging into the atmosphere of the

container depends on the nature of the dangerous goods and the effectiveness of the packaging. Furthermore, especially in maritime transport, the duration of the journey and the change in atmospheric conditions (temperature, atmospheric pressure and humidity) can also affect the degree of egress of the dangerous goods or reaction products, thus affecting the accumulation of the concentration in the container. As maritime transport often takes several weeks and often passes through different climate zones, high concentrations of the dangerous goods or its reaction products can accumulate inside the container. This has a negative impact on transport safety and the environment and poses a safety risk to personnel involved in the transport operation and inspections.

The UN Sub-Committee of Experts agreed that the term "hermetically sealed" needs to be defined. Most of the experts who spoke were of the opinion that this term should be defined as "air or gas tight", with clear and verifiable criteria, but in addition to such a definition, an appropriate test method should be considered, including proof that the dangerous goods packagings remain sealed throughout the entire transport operation. The Netherlands said it would draft a more detailed proposal for the next session.

Distinction between aerosols and gas cartridges

In the global dangerous goods regulations, a distinction is made between aerosols (UN 1950) and gas cartridges (receptacles, small, containing gas) (UN 2037). While the UN Model Regulations contain a definition of aerosol, there is no definition for gas cartridges. In contrast, RID/ADR/ADN contains a definition of gas cartridges which compiles the information that appears elsewhere in the UN Model Regulations. Both aerosols and gas cartridges are defined as non-refillable receptacles. While aerosols are fitted with a release device, gas cartridges may be fitted with a valve. In Germany's view, a clear distinction between the two types of receptacle should be made in the dangerous goods regulations to facilitate classification. Germany had submitted revised definitions for aerosols and gas cartridges and a definition of release device.

At its last meeting, the UN Sub-Committee of Experts had decided to set up a working group to deal with this issue. It was confirmed in this working group that a selfclosing valve is considered as a release device. It was also taken into account that these days, aerosols are sometimes carried without a control element (e.g. spray attachment), especially if they are refills for existing dosing devices (e.g. room air spray, asthma inhaler).

Work on this topic will continue and it is anticipated that an official document will be submitted to the next session.

Paints and printing inks

Paints, printing inks and adhesives used to be mainly solvent-based and therefore contained flammable liquids. Many of the solvent-based products benefit from an exemption from the provisions of RID/ADR in receptacles up to 450 litres due to their viscosity (see RID/ ADR 2.2.3.1.5). Irrespective of this exemption, paints and printing inks may be carried in quantities not exceeding 5 litres per metal or plastics packaging, and these packagings need not be typetested.

The switch to water-based products eliminated the risk of flammability, but because of the necessary preservatives and other additives, these products must now be classified as environmentally hazardous substances of Class 9 (UN numbers 3077 and 3082). In the past, special provision 375 was introduced, which also exempts environmentally hazardous substances with a net quantity of 5 litres or a net mass of 5 kg in single packagings or inner packagings of combination packagings, provided that certain basic requirements for the use of packagings are met. For larger quantities however, typetested packagings are required. Such packagings are not yet available and/or are not suitable for all product types. They are not well suited to the paint industry due to the nature of the closure, which allows the product to be opened for tinting and closed again for onward transport.

For the industry, this situation means that the safe water-based products are treated more strictly under dangerous goods legislation than the more dangerous solventbased products.

During the meeting of the UN Sub-Committee of Experts, an informal working group meeting was held to discuss various ways to resolve the industry's transport problems in connection with small packagings of Class 9 environmentally hazardous substances. The industry will submit a new document to the next session.

Use of a new limit value for pressure receptacles

The UN Sub-Committee of Experts noted the final report of an informal working group that had been working for the past two years on the question of supplementing the previous volume limitation of pressure receptacles with a limitation of the product of pressure and volume (pV product). This pV product is intended to limit the physical and, indirectly, the chemical energy stored in a pressure receptacle and to contain potential incidents during carriage to a non-catastrophic level. The dangerous goods regulations already contain requirements for the pV product in some places. The working group agreed on a maximum value of 1.5 million bar litres for the pressure-volume product of cylinders, bundles of cylinders, salvage pressure receptacles and large cylinders, this limit being determined on the basis of the analysis of pressure receptacles filled with hydrogen. The working group agreed that in addition to a general limitation of pressure receptacles, gas-specific pV limits might be necessary. However, this consideration was not within the working group's mandate.

The UN Sub-Committee of Experts provisionally adopted the working group's proposals to include a pV limit of 1.5 million bar litres in the definitions of cylinders, bundles of cylinders, salvage pressure receptacles and large cylinders. At the next meeting, an addition for salvage pressure receptacles and the inclusion of marking provisions will still have to be discussed.

Portable tanks

Definitions of FRP tank and FRP shell

Poland had submitted a document to the RID/ADR/ADN Joint Meeting in March pointing out that the definition of a fibre-reinforced plastics (FRP) tank included in connection with the new Chapter 6.9 differed from the general definition of a tank in RID/ADR 1.2.1 and the definition of portable tank in 6.7.2.1.

As this is a text from the UN Model Regulations, the Joint Meeting was unable to take a decision and asked the representative of Poland to submit the proposal to the UN Sub-Committee of Experts with a proposed text prepared by the working group on tanks.

The UN Sub-Committee of Experts provisionally decided to replace the definition of FRP tank with a definition of portable FRP tank that refers to the definition of portable tank and adds that the shell is made of fibre-reinforced plastics. In contrast, the definition of FRP shell will be worded in more detail to clarify that the ends, as well as the openings and closures, may also be made of metallic materials. The UN Sub-Committee of Experts might return to the issue at its next meeting.

Any other business

Units of measurement

The units used in the dangerous goods regulations are defined in 1.2.2.1. These are mainly the so-called SI units, which were established in the International System of Units (Système international d'unité). In the footnote to 1.2.2.1, the units previously used are converted to SI units.

As proposed by Spain, the UN Sub-Committee of Experts decided to delete all the parts of this footnote where "kg" is used as a unit for force, as it is exclusively a unit for mass. It also decided to delete the unit of measurement "torr" as an alternative unit for measuring pressure, as this unit is considered obsolete. The "torr" unit is named after the Italian physicist and mathematician Evangelista Torricelli and corresponds to the static pressure generated by a column of mercury 1 mm high.

Corrections to the UN Model Regulations

The ad hoc working group on the harmonisation of RID/ADR/ADN with the UN Recommendations on the Transport of Dangerous Goods met in Geneva on 26 and 27 April 2023 and drafted a proposal to transpose the amendments to the 22nd revised edition of the Model Regulations into RID/ADR/ ADN. This work identified several corrections that might be necessary in the Model Regulations, which were submitted to the UN Sub-Committee of Experts in an informal document.

The UN Sub-Committee of Experts adopted most of these corrections. A few of the proposed corrections are still to be discussed on the basis of an official document at the December meeting. It is anticipated that all the corrections can be taken into account in the 2025 editions of RID, ADR and ADN.

Tribute to Mr Ed de Jong

The UN Sub-Committee of Experts said goodbye to Mr Ed de Jong (Netherlands), who was retiring. It expressed its great appreciation for the outstanding contributions Mr de Jong had made to the UN Sub-Committee of Experts since 1993. In particular, the meeting thanked him for his substantial contributions over the last fifteen years as Chair of the informal working group on explosives.

Next session

The 63rd session of the UN Sub-Committee of Experts will be held in Geneva from 27 November to 6 December 2023.

Jochen Conrad

RID/ADR/ADN JOINT MEETING (Geneva, 19 to 27 September 2023)

The RID/ADR/ADN Joint Meeting in September 2023 was the fourth meeting of the 2022/2023 biennium. Its decisions will be reflected in the 2025 editions of RID, ADR and ADN.

The Joint Meeting of the RID Committee of Experts and the Working Party on the Transport of Dangerous Goods of the United Nations Economic Commission for Europe took place from 19 to 27 September 2023 with in-person attendance only. After lengthy renovation work, a meeting room in the historic Palace of Nations could again be used.

Delegates from 22 states, the European Union and 14 nongovernmental organisations took part in the discussions.

Tanks

The documents on tank issues were dealt with by the working group on tanks, which held a hybrid meeting in parallel with the Joint Meeting. 28 experts from 10 states and 7 non-governmental organisations took part in the work of this working group.

Holding time for the carriage of tanks with refrigerated liquefied gases.

The International Union of Railways (UIC) had raised the question of whether the provisions for determining the holding time for refrigerated liquefied gases also apply to empty, uncleaned tanks. The holding time defines the period between filling the tank and the time at which the pressure has risen due to heat influx to the lowest set pressure of the pressure relief devices. Initial discussions revealed that the holding time is only determined for full tanks and that it is very difficult to determine a holding time if only a limited amount of refrigerated liquefied gas remains in an empty, uncleaned tank.

When carrying residues of refrigerated liquefied gases, the pressure relief devices are repeatedly activated due to the fact that the residual pressure in the tanks does not decrease sufficiently during empty runs. In railway operations, such incidents can lead to line closures and intervention by the fire brigade. These problems do not occur in road transport, as the driver can take the measures necessary to reduce the pressure.

In order to reduce these incidents, additional provisions have been included in guidance published by the European Industrial Gases Association. This guidance is already referred to in RID/ADR. For example, an inspection sheet has been introduced for tank-wagons, portable tanks and tank-containers, in which, among other things, product-related residual pressures are listed for the transport of empty tanks.

The working group on tanks decided that 4.3.3.5, which describes how to determine the holding time, need not be observed for empty, uncleaned tanks. In 4.3.3.6, which regulates when tanks for the carriage of refrigerated liquefied gases may not be handed over for carriage, an additional paragraph will be included stipulating that the pressure in the tank must be reduced to a level that ensures that the pressure relief devices will not activate during carriage.

Marking of the maximum allowable working pressure

The last subparagraph of RID/ ADR 6.8.2.5.1 prescribes that on pressure-filled or pressuredischarge tanks, the "maximum working pressure allowed" must be inscribed on the corrosion-resistant metal plate or on the shell itself.

During inspections of gas tankwagons, it has been found that the maximum allowable working pressure is often not indicated either on the plate or on the tank itself. Manufacturers and operators have given various reasons why the maximum allowable working pressure is not shown. Among other things, it is not possible to calculate a general maximum allowable working pressure for tank-wagons for the carriage of compressed gases, as this depends on the partial pressure of the product and the operating temperatures. Consequently, the maximum allowable pressure would have to be recalculated before each filling process. It was also pointed out that for tank-wagons for the carriage of Class 2 gases, the test pressure also applies to the maximum allowable working pressure, so no additional marking is required. Reference was also made to standard EN 12561-1 (Railway applications - Tank wagons - Part 1: Identification plates for tank wagons for the carriage of dangerous goods), which does not require the maximum allowable working pressure to be shown.

6.8.3.5.4 specifically prescribes that the "maximum working pressure allowed" must be marked on tanks for refrigerated liquefied gases. Users interpret this provision differently. While some are of the view that the provisions of 6.8.2.5.1 apply to all gas tanks, others are of the view that marking the maximum allowable working pressure only applies to tanks for the carriage of refrigerated liquefied gases.

The working group on tanks agreed that for tanks for the carriage of compressed, liquefied or dissolved gases, it is not necessary to indicate the maximum working pressure on the tank plate. However, it also recognised that the last subparagraph in 6.8.2.5.1 could be misinterpreted and recommended that a reference to 6.8.3.5 be included here, which contains the special rules for gas tanks.

Temperature of the outer surface of the tank

In order to prevent people touching the tank from being burned, 4.3.4.2.1 limits the temperature of the outer surface of tanks carrying hot substances to 70°C. However, openings and closures are located in places where they cannot be easily touched and in addition, they cannot always be insulated to comply with this provision.

The working group on tanks decided to exclude openings and closures from this provision and to harmonise it with a corresponding provision for portable tanks.

Exemption from accreditation in case of competent authorities performing inspection tasks

1.8.6.2.1 stipulates that the inspection bodies approved by the competent authority must be accredited according to standard EN ISO/IEC 17020:2012. However, competent authorities that do not approve inspection bodies, but which perform the activities of the inspection body themselves, do not need to be accredited. However, there are doubts, because the above-mentioned provision refers to 1.8.6.3, which requires accreditation for all inspection bodies.

In the discussion of this issue, concern was expressed that exempting competent authorities from the requirement for accreditation could lead to undesirable situations, especially if the competent authority delegates tasks to other bodies within the meaning of the definition of competent authority in 1.2.1. Most experts were of the view that a technical service within the competent authority should be accredited if it performs inspection tasks.

The working group on tanks agreed that the exemption of the competent authority in 1.8.6.2.1 requires further examination. It was suggested that this paragraph should be tightened to the effect that a competent authority that itself performs inspection tasks must satisfy the points listed in 1.8.6.3.1.

The Joint Meeting noted that the text proposed by the working group on tanks is not clear enough and that the question of whether a competent authority can also perform the tasks of inspection bodies itself if it has approved, recognised or designated an inspection body needs to be clarified. It will therefore return to this issue at its meeting in March 2024.

Harmonisation with the UN Recommendations on the Transport of Dangerous Goods

The Joint Meeting noted the report of the ad hoc working group on the harmonisation of RID/ADR/ADN with the UN Recommendations on the Transport of Dangerous Goods, which had met on 26 and 27 April 2023, and adopted the proposals for amendments to RID/ADR/ADN, with a few modifications.

In the context of this harmonisation work, the following amendments should be highlighted. These will be included in the 2025 edition of RID, ADR and ADN and have already been looked at in more detail in previous editions of the Bulletin:

- New UN numbers for sodiumion batteries (see Bulletin 1-2/2022, p. 28 and 29). To bridge the gap until the entry into force on 1 January 2025, Germany has initiated multilateral special agreements M 354 for ADR and 2/2023 for RID, which enable immediate application of these new provisions for all signatory states.
- New UN numbers and packing instructions for vehicles powered by batteries (see Bulletin 1/2023, p. 23).
- New UN numbers for the gas disilane and assignment of a special packing provision (see Bulletin 4/2022, p. 27 and 28).
- New UN number for articles containing gallium, and assignment of the same transport provisions as currently apply to UN 3506 mercury contained in manufactured articles (see Bulletin 4/2022, p. 28).
- New UN numbers for fire suppression devices that contain a pyrotechnic material and inclusion of a special provision to differentiate from existing entries (see Bulletin 1/2023, p. 23 and 24).
- Expanded use of recycled plastics material (see Bulletin 1/2023, p. 24).

Carriage of wastes

Waste containing asbestos

The carriage in bulk of waste containing asbestos assigned to UN number 2212 (Asbestos, amphibole) or 2590 (Asbestos, chrysotile) is not currently permitted. If asbestos fibres can be released during transport, only carriage in packages (packing instruction P 002, IBC 08 or R 001) is currently permitted.

Large quantities of solid waste containing asbestos are produced at a range of construction and civil engineering sites (e.g. during road milling work, demolition or renovation of buildings or the removal of soil contaminated with asbestos). The quantities to be disposed of and the size of the individual pieces make it very difficult to apply the packing instructions. In addition, the authorities responsible for occupational health and safety have determined that the risk of exposure due to the release of carcinogenic dust or carcinogenic fibres is higher when filling RID/ADR-compliant packagings than when loading in bulk.

On the basis of a derogation in force in France, the Joint Meeting's informal working group on wastes drafted conditions under which the carriage in bulk of waste containing asbestos can be permitted. A new special provision specifies the various categories of waste containing asbestos that are permitted for carriage in bulk. A new additional provision for carriage in bulk stipulates the use of so-called container bags, which are the same size as the load compartment and may only be transferred together with this load compartment (e.g. removable skip). The container bags consist of an inner lining made of polyethylene or polypropylene and an outer lining made of polypropylene. The inner lining must be made dust-tight, while the outer lining must ensure resistance to

the shocks and stresses in normal conditions of transport. New special provision CW 38/CV 38 for loading, unloading and handling contains requirements regarding sufficiently smooth surfaces of the load compartment, decontamination of the outer surfaces of the container bag after loading and sealing, and the unloading of the container bags. The type of waste being carried must be specified in more detail in the transport document. In addition, a data sheet for the container bag used and instructions for unloading the container bag must be attached.

Chemical compatibility of plastics packagings containing liquid waste

For plastics packagings for the carriage of liquids, proof must be provided that the plastic is sufficiently chemically compatible with the substances to be carried. In order to do this, the packagings are filled with the liquids to be carried and are stored at room temperature for a period of six months.

For plastics packagings made of polyethylene, similar standard liquids may also be used for the corresponding tests instead of the original filling substances. In this case, the test samples only need to be stored for three weeks at a temperature of 40°C. For solutions, mixtures and preparations, the appropriate standard liquid must be selected for each individual component. If a standard liquid cannot be selected for all components from the assimilation list in 4.1.1.21.6, the tests to demonstrate chemical compatibility with the original filling substance must be carried out, again with a storage period of six months.

For wastes, there are many cases where it is not possible to determine the composition exactly. It is clear that applying the tests laid down in the provisions to each individual batch of waste would be extremely inefficient.

The Joint Meeting decided to permit polyethylene packagings for the carriage of liquid waste, provided that these packagings have passed the tests to demonstrate chemical compatibility with all standard liquids. If the waste contains substances that are known to weaken the polyethylene packagings (e.g. chlorinated compounds), the period of use of the polyethylene packagings must be limited to two and a half years from the date of manufacture.

Carriage of waste in inner packagings packed together in an outer packaging

Combination packagings consist of an outer packaging and one or more inner packagings. Normally, outer packagings must be subjected to the tests in Chapter 6.1 together with the intended inner packagings. Under certain conditions, inner packagings that have not previously been tested with the outer packagings may also be placed in outer packagings.

In the case of original products, the testing of combination packagings is not difficult and represents a reasonable financial outlay in view of the quantities of substances to be carried. In waste collection however, there is in most cases only an inner packaging and no outer packaging. The wide variety of these inner packagings is far greater than the regulations allow. For safety reasons, it is also not realistic to transfer waste into inner packagings that have already been tested.



Example of unsorted waste that is handed over for disposal

The Joint Meeting adopted certain relaxations for the carriage of waste with regard to placing various inner packagings into outer packagings, which the informal working group on wastes had already discussed. The outer packaging must be tested for packing group I and must contain sufficient cushioning material to prevent movement of the inner packagings. If easily breakable inner packagings are placed in the outer packaging, absorbent material must also be used in the outer packaging. For outer packagings made of polyethylene, proof of chemical compatibility is deemed to have been provided if the packaging has been tested with all standard liquids (see above). Placing the inner packagings into the outer packaging must be carried out by trained and competent personnel. The transport document must indicate that this relaxation has been applied. These relaxations may not be applied for wastes of classes 1, 2, 6.2 and 7.

Other proposals

Placarding of skips

Chapter 5.3 of RID/ADR/ADN governs, among other things, the affixing of placards and orangecoloured plates to containers and bulk containers. Removable skips are often used to carry waste in bulk.

These removable skips do not come under the definition of container. Neither do they come under the definition of bulk container, as they do not meet the provisions of Chapter 6.11.

The majority of the Joint Meeting was of the view that placards and orange-coloured marking should be affixed to skips in the same way as containers, i.e. placards must be affixed to both sides and at the ends and orange-coloured plates must be affixed to both sides. In a Note at the beginning of Chapter 5.3, it decided to clarify that removable skips are considered as containers.



Deletion of transitional measures

The Joint Meeting adopted the deletion of the transitional measures in 1.6.1.38, 1.6.1.53, 1.6.2.17, 1.6.2.21 and 1.6.2.22, which expire at the end of 2024. With regard to 1.6.1.8, which deals with orange-coloured plates that do not comply with the current provisions in terms of their size and the width of the edge, it was decided to let the transitional measure expire at the end of 2026.

Election of the Chair

The current Vice-Chair of the RID/ ADR/ADN Joint Meeting, Ms Silvia Garcia Wolfrum (Spain), was elected Chair for 2024. Mr Soedesh Mahesh (Netherlands) was elected Vice-Chair.

The Joint Meeting said goodbye to Mr Claude Pfauvadel (France), who had chaired the Joint Meeting for the past twenty years. It recognised his outstanding commitment, expressed its deep appreciation and gratitude for his work and wished him all the best for his imminent retirement.

The Joint Meeting also said goodbye to Mr Jean-Georges Heintz, who had represented the International Union of Railways (UIC) for 17 years. It thanked him for his valuable contributions relating to railway practice and wished him a long and happy retirement.

Next session

The next Joint Meeting will be held in Berne from 25 to 28 March 2024. As this is the week before Easter, this session will be shortened by one day. The Joint Meeting will take the final decisions for the 2025 editions of RID, ADR and ADN.

Jochen Conrad

TRANSBOUNDARY MOVEMENT OF WASTES: CURRENT LEGAL SITUATION AND DEVELOPMENTS (PART 1)

In a world characterised by increasing consumption and a growing population, we face the challenge of managing wastes efficiently in order to minimise negative impacts on the environment and human health and to ensure a sustainable future. The current trend in dealing with waste is the increased utilisation of waste as a resource. This approach represents a paradigm shift in which wastes are no longer considered as an unavoidable burden, but as a valuable raw material that can be reused, recycled and returned to the production cycle. Consequently, utilising waste as a resource is not just ecologically sensible, but is also economically beneficial.

However, this development is also leading to an increasing volume of waste transport and the resulting need for clear rules for safe carriage and the controlled transboundary movement of wastes.

The current efforts to update the EU Regulation on shipments of waste (Regulation (EC) No 1013/2006), the informal working group of the **RID/ADR/ADN** Joint Meeting, which has been meeting since 2019 under the leadership of the European Waste Management Association (FEAD), and the workshop on "Waste management and challenges for the rail sector" organised by the International Rail Transport Committee (CIT) in autumn 2023 show that the topic of controlled transboundary movement, safe transport and the environmentally sound disposal or reuse of wastes is highly topical.

For this reason, a series of articles will be published in this Bulletin, starting with the current issue, which will deal with various aspects of waste management. The international and regional regulations currently in force that deal exclusively or partially with waste will be introduced. In so doing, the provisions concerning hazardous wastes, the interaction between the various regulations and their significance for the railway sector will be given particular attention.

The topic of waste with regard to sustainable development goals

The purpose of the 17 sustainable development goals adopted by the United Nations General Assembly as the centrepiece of the 2023 Agenda is to ensure sustainable development in economic, social and environmental terms.

By its very nature, safe transport and the environmentally sound disposal of wastes is crucial to achieving some of the sustainable development goals.

In order to protect nature and its resources, safe transport and the environmentally sound disposal of wastes are essential. Minimising the impact of inappropriate management and disposal of wastes on the terrestrial and aquatic environment contributes to the protection of ecosystems and biodiversity on land and in water (goal 14: life below water and goal 15: life on land).

Dealing with hazardous wastes appropriately protects both our environment and human health (goal 3: good health and wellbeing). By 2030, the number of deaths and illnesses caused by hazardous chemicals and the pollution and contamination of air, water and soil is to be significantly reduced.

With regard to the subject of waste, goal 12, which calls for sustainable consumption and production patterns, is of key significance. While target 12.4 calls for the environmentally sound management of chemicals and all wastes throughout their life cycle, in accordance with agreed international frameworks, achieving target 12.5 should significantly reduce the volume of waste by 2030 through prevention, reduction, recycling and reuse. The latter measures are also a decisive step towards increasing the efficiency of resource consumption and promoting a circular economy.

Ensuring the safe transport and environmentally sound disposal of wastes requires the cooperation of governments, companies and organisations at national, supranational and international level. Compliance with international rules, such as those set out in the Basel Convention presented below or in the regulations for the international carriage of dangerous goods, and the implementation of best practices by companies, is essential to ensure sustainable waste management.

Basel Convention

Origins

The "Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal", also known as the Basel Convention, was established in response to growing international concern about the irresponsible disposal of hazardous wastes.

In the 1980s, numerous cases became known in which industrialised countries exported hazardous wastes to developing countries, where it was incorrectly dealt with or disposed of. This practice led to serious environmental impacts and health problems in the countries concerned. In response, international efforts were strengthened to control the transboundary transport of hazardous wastes and to ensure that these wastes are dealt with properly and in an environmentally friendly manner. Negotiations on the Basel Convention began in 1988 under the auspices of the United Nations Environment Programme (UNEP).

The Basel Convention was finally adopted by 118 countries in Basel on 22 March 1989. It entered into force on 5 May 1992 and has so far been ratified by 191 states.

Objectives

The objectives of the Basel Convention are set out in its Preamble.

The overarching objective of the Convention is to protect human health and the environment against the adverse effects of hazardous and other wastes. It does this by regulating the transboundary transport of these wastes and ensuring that they are dealt with and disposed of in an environmentally friendly and safe manner.

The other associated objectives are:

1. Minimise the generation of waste: the Convention calls for the minimisation of waste generation, especially hazardous wastes.

- Limit the transboundary movement of waste. Transboundary movements of hazardous and other wastes are to be strictly controlled and kept to a minimum.
- 3. Promote the environmentally sound management of waste.

Area of regulation

The Basel Convention primarily regulates hazardous wastes that are listed in Annex I to the Convention and that have one or more of the hazardous properties listed in Annex III to the Convention. The list of hazardous properties corresponds to the classification into hazard classes contained in the fifth revised edition of the "UN Recommendations on the Transport of Dangerous Goods" (ST/SG/AC.10/1/Rev.5).

However, the Basel Convention does not regulate radioactive wastes or wastes arising from the normal operation of a ship, as these are subject to other international conventions.

According to the Basel Convention, wastes that are not listed in Annex I, but which are designated as hazardous under the national legislation of the Parties, are also considered hazardous. Within six months of becoming a Party to the Convention, each Party must provide such information to the Secretariat of the Basel Convention, which is hosted by the UN Environment Programme, and the Secretariat then communicates this information to all Parties.

In addition, the Basel Convention also regulates other wastes that require special consideration and which are listed in its Annex II. These include wastes collected from households, residues arising from the incineration of household wastes and plastic wastes.

In 1998, the Fourth Conference of the Parties adopted the new Annexes VIII and IX to the Convention, which update and expand the lists contained in Annexes I and II. Annex VIII contains a detailed list of wastes that are considered hazardous and to which a stricter control mechanism applies. The Prior Informed Consent Procedure (PIC Procedure) is required for the transboundary movement of these wastes. Annex IX again contains a detailed list of wastes that may be moved under less stringent conditions than those in Annex VIII.

Principles

One of the basic principles of the Basel Convention is the polluter pays principle. In the context of the Convention, the polluter pays principle means that the country that produces hazardous wastes is responsible for its environmentally sound disposal, regardless of where the wastes are disposed of.

In addition, wastes should be dealt with and disposed of in an environmentally sound manner close to the source (nationally) whenever possible.

According to Art. 4 (9), "the transboundary movement of hazardous wastes and other wastes [is] only allowed if:

- a. The State of export does not have the technical capacity and the necessary facilities, capacity or suitable disposal sites in order to dispose of the wastes in question in an environmentally sound and efficient manner; or
- b. The wastes in question are required as a raw material for recycling or recovery industries in the State of import; or

c. The transboundary movement in question is in accordance with other criteria to be decided by the Parties;"

Each Party has the right to restrict or prohibit the import or export of wastes. In addition, each Party is obliged to prevent the import or export of wastes if it has reason to believe that the wastes in question are not being dealt with in an environmentally sound manner.

The transboundary transport of hazardous wastes is only permitted with the prior consent of the State of import and the State of transit. Before hazardous wastes can be exported, the exporter must obtain written consent from the State of import.

The Convention also requires the exchange of information on hazardous wastes between the participating countries. This includes information on the state of the wastes, safety-related data and disposal methods.

Neither the export of hazardous or other wastes to a non-Party nor their import from a non-Party is permitted unless the Parties have concluded bilateral or regional agreements with non-Parties whose provisions on environmental standards are at least equivalent to those of the Basel Convention.

The export of hazardous or other wastes to the Antarctic is prohibited.

Illegal traffic in wastes is a criminal offence under the national law of the Parties. Each Party must introduce appropriate domestic legislation to prevent and punish illegal traffic.

According to Art. 9 (1), illegal traffic is any transboundary movement of hazardous wastes or other wastes:

- a. without notification to all States concerned; or
- b. without the consent of a State concerned; or
- c. with consent obtained through falsification, misrepresentation or fraud; or
- d. that does not conform in a material way with the documents; or

e. that results in deliberate disposal of hazardous wastes or other wastes in contravention of the Basel Convention and of general principles of international law.

The additional "Basel Protocol on Liability and Compensation for Damage resulting from Transboundary Movements of Hazardous Wastes and their Disposal", adopted in 1999 but not yet in force, establishes principles for a comprehensive liability regime and adequate and timely compensation for damage caused by transboundary movements of hazardous and other wastes, including incidents resulting from the illegal traffic in such wastes.

The Prior Informed Consent Procedure (PIC procedure)

The PIC procedure under the Basel Convention ensures that countries intending to export hazardous or other wastes must obtain the prior consent of the countries to which they intend to move these wastes.



Notification

The generator or exporter of hazardous and other wastes subject to the PIC procedure first informs the competent authority of their country (State of export) of their intention to export the wastes concerned to another country. The State of export is obliged to provide detailed information on the nature of the wastes and their potential impact on the environment and human health and to inform the country that is to receive the wastes (State of import) and any other country through which the wastes concerned are to be carried (State of transit).

Consent

Once the notification has been received, the State of import and each State of transit may notify the State of export of their consent to the movement with or without conditions, deny permission for the movement or request additional information (see Art. 6 (2)). The State of export shall not allow the generator or exporter to commence the movement until it has received written consent from all the States concerned and a contract exists between the exporter and the disposer specifying environmentally sound management and disposal of the wastes (see Art. 6 (3)).

Notification document for transboundary movements/shipments of waste

 Exporter - notifier Registration No: 	3. Notification No:
Name:	Notification concerning
Address:	A.(i) Individual shipment: (ii) Multiple shipments:
	B.(i) Disposal (1):
Contact person:	C. Pre-consented recovery facility (2;3) Yes No
Tel: Fax:	4. Total intended number of shipments:
E-mail:	5. Total intended quantity (4):
2. Importer - consignee Registration No:	Tonnes (Ma):
Name:	m ³ :
Address:	6. Intended period of time for shipment(s) (4):
	First departure: Last departure:
Contact person:	7. Packaging type(s) (5):
Tel: Fax:	Special handling requirements (6): Yes: No:
E-mail:	11. Disposal / recovery operation(s) (2)
Intended carrier(s) Registration No:	D-code / R-code (5):
Name(7):	Technology employed (6):
Address:	
Contact person:	Reason for export (1;6):
Tel: Fax:	
E-mail:	12. Designation and composition of the waste (6):
Means of transport (5):	
 Waste generator(s) - producer(s) (1;7;8) Registration No: 	
Name:	
Address:	
	13. Physical characteristics (5):
Contact person:	
Tel: Fax:	14. Waste identification (fill in relevant codes)
E-mail:	(i) Basel Annex VIII (or IX if applicable):
Site and process of generation (6)	(ii) OECD code (if different from (i)):
	(III) EC list of wastes:
10. Disposal facility (2): or recovery facility (2):	(iv) National code in country of export:
Registration No:	(v) National code in country of import:
Name:	(vi) Other (specify):
Address:	(VII) Y-CODE:
0	(VIII) H-CODE (3):
Contact person:	(IX) UN CIASS (3):
Tel. Fax.	(X) UN NUMBER.
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First page of the notification (source: www.basel.int)

The movement document

An integral component of the PIC procedure is the movement document. The movement document contains comprehensive information on the type, origin and properties of the hazardous wastes being carried. It also provides details of the exporter, importer, transport undertaking and planned method of disposal. By providing the countries involved with detailed information on the transport of hazardous wastes, the movement document contributes to transparency and traceability. This enables the competent authorities to monitor the transport better.

The movement document must accompany the waste consignment throughout the entire transport from the generator of the waste to its arrival at a point of disposal or recycling in another country. Each person who takes charge of a transboundary movement of wastes must sign the movement document either upon delivery or receipt of the wastes. The movement document is also used by the competent disposal or recycling facility to certify to the exporter and the competent authority of the State of export that the waste in question has been received and that the recycling or disposal have been completed.

1. Corresponding to notification No:		2. Serial/total	number of shipments: /
Exporter - notifier Registration No:		4. Importer - consignee F	Registration No:
Name:		Name:	
Address:		Address:	
Contest serees		Contrat across	
Contact person:		Contact person:	Eov:
F moil:		E mail:	FdX.
5 Actual quantity: Toppes (Ma):	m ^{3.}	6 Actual date of chinmer	nt:
7 Packaging Type(s) (1):	Number of nackages	o. Actual date of Shiphie	iit.
Special handling requirements: (2) Yes	No: C	-	
8 (a) 1st Carrier (3):	8 (b) 2 nd Carrier:		8 (c) Last Carrier:
Registration No:	Registration No:		Registration No:
Name:	Name:		Name:
Address:	Address:		Address:
Tal	Tak		Tal
Fox:	Fox:		Fox:
F-mail:	Fax. F-mail		F-mail:
To be commi	indii.		Mare then 2 services (2)
To be compl	eled by carrier's represei	11.20.00	more than 3 carriers (2)
Means of transport (1):	Means of transport (1):		Means of transport (1):
Date of transfer:	Date of transfer:		Date of transfer:
Signature:	Signature:	40 Declaration and com	Signature:
9. waste generator(s) - producer(s) (4;0;6):		12. Designation and com	position of the waste (2):
Negistration No.			
Address			
Contact person:		13.Physical characteristic	cs (1):
Tel: Fax:			
E-mail:		14.Waste identification (fi	II in relevant codes)
Site of generation (2):		(i) Basel Annex VIII (or IX if	fapplicable):
10. Disposal facility or recovery	facility 🗌	(ii) OECD code (if different	from (i)):
Registration No:		(iii) EC list of wastes:	
Name:		(iv) National code in country	y of export:
Address:		(v) National code in country	/ of import:
		(vi) Other (specify):	
Contact person:		(vii) Y-code:	
lei: Fax:		(VIII) H-code (1):	
E-mail:		(IX) UN Class (1):	
Actual site of disposal/recovery (2)		(x) UN NUMBEL.	
D code / B code (1):		(xi) UN Shipping hame.	
15 Exporter's - notifier's / generator's - producer's	(4) declaration:	(XII) Custorns coue(s) (no).	
I certify that the above information is complete and cor	rect to my best knowledge.	I also certify that legally en	forceable written contractual obligations have been
entered into, that any applicable insurance or other final	ancial guarantee is in force	covering the transboundary	movement and that all necessary consents have been
received from the competent authorities of the countrie	is concerned.		
Name:	Date:		Signature:
16. For use by any person involved in the transhou	ndary movement in case	additional information is	required
17. Shipment received by importer - consignee (if r	not facility): Date:	Name:	Signature:
19 Shipmont received at dispared facility	DE COMPLETED BY DIS	PUSAL / RECUVERY FACI	
ro. Simplifient received at disposal facility	or rec		19. I certify that the disposal/recovery of the
Date of reception:	Accepted:	Rejected*:	waste described above has been completed.
Quantity received: Fonnes (Mg):	m³:	*immediately conta	International In
Approximate date of disposal/recovery:		competent authoriti	les _
Disposal/recovery operation (1):			Date:
Name:			Signature and stamp:
Date:			
Signature:			
(1) See list of abbreviations and codes on the next page			(4) Required by the Basel Convention
(2) Attach details if necessary			(5) Attach list if more than one
(3) If more than 3 carriers, attach information as required in b	DIOCKS 8 (a,b,c).		(6) If required by national legislation

Movement document for transboundary movements/shipments of waste

First page of the movement document (source: www.basel.int)

Latest developments

Export ban

The "Ban Amendment" to the Basel Convention refers to an important amendment that was already adopted in 1995 to establish a complete ban on transboundary movements of hazardous wastes from richer industrialised countries to poorer developing countries. However, the amendment only came into force much later, on 5 December 2019.

Specifically, the "Ban Amendment" imposes a general ban on the transboundary movement of hazardous wastes from the countries of the Organisation for Economic Co-operation and Development (OECD), the European Union and Liechtenstein to all other countries.

Amendments concerning plastic wastes

In 2019, amendments to Annexes II, VIII and IX of the Basel Convention were adopted with the aim of improving the control of transboundary movements of plastic wastes. The amendments described below already came into force on 1 January 2021.

With the amendment to Annex VIII, a new entry for hazardous plastic wastes was added to the list of wastes that are considered hazardous and are therefore subject to the PIC procedure.

The amendment to Annex IX clarifies the types of plastic wastes that are not hazardous and are not therefore subject to the PIC procedure. These wastes include plastic wastes that consist almost exclusively of a non-halogenated polymer, a cured resin or a fluorinated polymer, are virtually free of impurities and other types of waste and are destined for environmentally sound recycling. This group also includes mixtures of plastic wastes made from polyethylene (PE), polypropylene (PP) or polyethylene terephthalate (PET).



Plastic wastes

The third amendment consists of the insertion of a new entry in Annex II for plastic wastes, including mixtures of such wastes, which are not covered by the new entries in Annexes VIII and IX mentioned above and which require special consideration. These types of plastic wastes are also subject to the PIC procedure.

Amendments concerning electronic scrap

In 2022, further amendments to Annexes II, VIII and IX were adopted, this time with the aim of extending the control of transboundary movements of electronic scrap and subjecting all types of electronic and electrical scrap to the PIC procedure.

In Annex II, a new entry for all types of electronic scrap, its components and wastes from its processing will be added to the list of wastes requiring special consideration.

A new entry for all types of hazardous electronic scrap will also be added to Annex VIII. The wastes listed in these two annexes are subject to the PIC procedure. As the existing entries in Annex IX for electrical and electronic assemblies, for which no PIC procedure is currently required, will also be deleted, all types of electronic scrap will be subject to the PIC procedure in future.

The amendments concerning electronic scrap will enter into force on 1 January 2025.





Examples of electronic scrap

Interaction between the regulations on the transport of dangerous goods and the Basel Convention

The Preamble to the Basel Convention already refers to the "UN Recommendations on the Transport of Dangerous Goods", which were taken into account when drafting the text of the Convention, especially the annexes.

As already mentioned above,

the overarching objective of the Convention is to protect human health and the environment from the negative consequences that can result from the generation and management of wastes. In this context, "management" means the collection, transport and disposal of wastes, including aftercare of disposal sites (see Art. 2). Transport is therefore treated as one of the basic operations, whose environmentally sound performance is a prerequisite in terms of meeting the objectives of the Basel Convention.

The Parties are explicitly required to ensure that wastes that are to be the subject of a transboundary movement be packaged, labelled, and transported in conformity with international rules and standards in the field of packaging, labelling, and transport (see Art. 4 (7) (b)).

In order to achieve the objectives of the Basel Convention, each of the 191 Parties must ensure, among other things, that transport takes place safely, in an environmentally sound manner and in accordance with recognised international standards. This also provides an opportunity for the further dissemination of the existing and well-established dangerous goods regulations, including the "Regulation concerning the International Carriage of Dangerous Goods by Rail" (RID). The application of RID ensures the safe and environmentally sound transport of wastes by rail in accordance with the Basel Convention.

Katarina Burkhard

CALENDAR OF OTIF'S MEETINGS IN 2024

DATE	EVENT	ORG	LOCATION
29 January	Administrative Arrangements meeting (OTIF, European Commission (DG MOVE), ERA)		Brussels - Belgium
7 March	Preparatory Commission for the Establishment of the International Registry for Railway Rolling Stock under the Luxembourg Protocol (12 th session)	UNIDROIT	Berne - Switzerland
8 March	1 st session of the Supervisory Authority		Berne - Switzerland
25 - 28 March	RID/ADR/ADN Joint Meeting	UNECE	Berne - Switzerland
16 - 18 April	Ad hoc Committee on Legal Affairs and International Cooperation, $6^{\rm th}$ session	*	Vienna - Austria

EVENTS WITH OTIF PARTICIPATION IN 2024

DATE	EVENT	ORG	LOCATION
17 January	Informal Working Group of the RID/ADR/ADN Joint Meeting on references to the competent authority	UNECE	Switzerland (VIDEO CONFERENCE)
30 - 31 January	2024 ITF Annual Consultations with International Organisations	ITF	Paris - France
13 - 16 February	Working Group on Annex 2 to SMGS "Provisions for the Carriage of Dangerous Goods"	OSJD	Warsaw - Poland
20-23 February	Inland transport Committee	UNECE	Geneva - Switzerland
21 - 22 February	Railway Interoperability and Safety Committee (RISC)	European Commission	Brussels - Belgium
12 - 13 March	UIC Group of Experts on the Carriage of Dangerous Goods	UIC	Zurich - Switzerland
2 - 5 April	Working Party on the Transport of Dangerous Goods, WP.15 (115 th session)	UNECE	Geneva - Switzerland

* Federal Ministry of Climate Action, Environment, Energy, Mobility, Innovation and Technology (AU)



Dear readers

If you would like to subscribe to OTIF's publication, the Bulletin of International Carriage by Rail, please send an e-mail to the following address: **media@otif.org** You can also read the Bulletin on OTIF's website **www.otif.org** under the tab headed "Media".

Thank you for your continued interest. The Bulletin editor

