



Council of the
European Union

054843/EU XXVI. GP
Eingelangt am 20/02/19

Brussels, 20 February 2019
(OR. en)

8522/13
DCL 1

ECO 62
ENT 106
MI 293
UNECE 9

DECLASSIFICATION¹

of document:	ST 8522/13 RESTREINT UE/EU RESTRICTED
dated:	16 April 2013
new status:	Public
Subject:	Recommendation for a Council Decision authorising the opening of negotiations on a review of the Agreement of the United Nations Economic Commission for Europe concerning the adoption of uniform technical prescriptions for wheeled vehicles, equipment and parts which can be fitted and/or used on wheeled vehicles and the conditions for the reciprocal recognition of approvals granted on the basis of these prescriptions ('Revised 1958 Agreement')

Delegations will find attached the declassified version of the above document.

The text of this document is identical to the previous version.

¹ Document declassified by the European Commission on 3 October 2018.



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THE EUROPEAN UNION**

Brussels, 16 April 2013

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COVER NOTE

from:	Secretary-General of the European Commission, signed by Mr Jordi AYET PUIGARNAU, Director
date of receipt:	15 April 2013
to:	Mr Uwe CORSEPIUS, Secretary-General of the Council of the European Union

No Cion doc.	COM(2013) 198 final
Subject:	Recommendation for a Council Decision authorising the opening of negotiations on a review of the Agreement of the United Nations Economic Commission for Europe concerning the adoption of uniform technical prescriptions for wheeled vehicles, equipment and parts which can be fitted and/or used on wheeled vehicles and the conditions for the reciprocal recognition of approvals granted on the basis of these prescriptions ('Revised 1958 Agreement')

Delegations will find attached Commission document COM(2013) 198 final.

Encl.: COM(2013) 198 final



EUROPEAN
COMMISSION

Brussels, 15.4.2013
COM(2013) 198 final

Recommendation for a

COUNCIL DECISION

authorising the opening of negotiations on a review of the Agreement of the United Nations Economic Commission for Europe concerning the adoption of uniform technical prescriptions for wheeled vehicles, equipment and parts which can be fitted and/or used on wheeled vehicles and the conditions for the reciprocal recognition of approvals granted on the basis of these prescriptions ('Revised 1958 Agreement').

EXPLANATORY MEMORANDUM**1. CONTEXT OF THE RECOMMENDATION**

At international level, the United Nations Economic Commission for Europe (UNECE) develops harmonised requirements, intended to remove technical barriers to the trade in motor vehicles between the Contracting Parties to the Revised 1958 Agreement and to ensure that such vehicles offer a high level of safety and environmental protection. By Council Decision 97/836/EC, the Union has acceded to the Revised 1958 Agreement

The World Forum for Harmonisation of Vehicle Regulations (WP.29), which is the UNECE's administrative body for the Revised 1958 Agreement, agreed at its 150th session in March 2010, to consider actions on the future direction for the harmonisation of vehicle regulations under the 'Revised 1958 Agreement', with the aim to foster the participation of more countries and regional economic integration organisations in the activities of the World Forum and to increase the number of Contracting Parties to the Revised 1958 Agreement. This review should also aim at enhancing the functioning and reliability of the Revised 1958 Agreement, and at ensuring that it remains the key international framework for the harmonisation of technical regulations in the automotive sector.

The present Recommendation aims at authorising the opening of negotiations on the review of the Revised 1958 Agreement.

2. RESULTS OF CONSULTATIONS WITH THE INTERESTED PARTIES AND IMPACT ASSESSMENTS

Extensive consultations on the need for reviewing the Revised 1958 Agreement have taken place with all stakeholders in the automotive sectors, through the CARS 21 High Level Group on the Competitiveness and Sustainable Growth of the Automotive Industry in the European Union.

In its final report, the CARS21 High Level Group has highlighted that the most effective instrument for international regulatory harmonisation is the Revised 1958 Agreement, provided it is modernised to accommodate the needs of emerging economies and to the extent that it enables the mutual recognition of international whole vehicle type approvals (IWVTA) starting with the category of passenger cars.

In response to the CARS21 High Level Group final report, the Commission has announced in its CARS2020 Action Plan adopted in November 2012 that it will promote and actively support further international harmonisation of vehicle regulations along the following lines:

- The reform of the Revised 1958 UNECE Agreement is a key element of this strategy and will aim to make adoption and implementation of international regulations more attractive for third markets. Member States and stakeholders are invited to support this effort. The Commission will steer the development of a first proposal for the revised 1958 Agreement in March 2013.

- The Commission will contribute to the development of a first proposal for a new Regulation on IWVTA by November 2013. The IWVTA Regulation will substantially reduce the administrative burden related to the introduction of the same vehicle model in countries which are Contracting Parties to the 1958 Agreement.

In view of this commitment, it is important that the Commission is authorised by the Council to negotiate, on behalf of the Union, the review of the Revised 1958 Agreement.

No Impact Assessment was conducted for this Recommendation.

3. LEGAL ELEMENTS OF THE RECOMMENDATION

The legal basis for this Recommendation is Article 218(3) and (4) of the Treaty on the Functioning of the European Union.

The envisaged content of the reformed 1958 Agreement would address the procedures for developing, amending and adopting technical regulations for motor vehicles, and their implementation by Contracting Parties, and also to the conditions for granting type approvals and their mutual recognition, and as such will continue to serve as a basis for granting approvals under EU type-approval.

4. BUDGETARY IMPLICATION

The proposal has no implication for the Union budget

5. OPTIONAL ELEMENTS

The proposed act does not concern an EEA matter and should therefore not extend to the European Economic Area.

Recommendation for a

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authorising the opening of negotiations on a review of the Agreement of the United Nations Economic Commission for Europe concerning the adoption of uniform technical prescriptions for wheeled vehicles, equipment and parts which can be fitted and/or used on wheeled vehicles and the conditions for the reciprocal recognition of approvals granted on the basis of these prescriptions ('Revised 1958 Agreement').

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 218(3) and (4) thereof,

Having regard to the recommendation from the European Commission,

Whereas:

- (1) By Council Decision 97/836/EC, the Union has acceded to the Agreement of the United Nations Economic Commission for Europe concerning the adoption of uniform technical prescriptions for wheeled vehicles, equipment and parts which can be fitted to and/or be used on wheeled vehicles and the conditions for reciprocal recognition of approvals granted on the basis of these prescriptions ('Revised 1958 Agreement')²
- (2) The World Forum for Harmonisation of Vehicle Regulations (WP.29), which has been established within the framework of the Inland Transport Committee of the United Nations Economic Commission for Europe as the administrative body of the 'Revised 1958 Agreement', agreed at its 150th session in March 2010, to establish an informal group with a view to assist WP.29 in considering actions on the future direction for the harmonisation of vehicle regulations under the 'Revised 1958 Agreement'. This future direction should aim at fostering the participation of more countries and regional economic integration organisations in the activities of the World Forum and to increase the number of Contracting Parties to the 'Revised 1958 Agreement', by improving its functioning and reliability, and thus ensuring that it remains the key international framework for the harmonisation of technical regulations in the automotive sector.
- (3) WP.29 endorsed at its 155th session in November 2011 the inventory and roadmap for the future direction on the harmonisation of vehicle regulations to WP.29 as prepared by the informal group and extended the mandate of the informal group in order to

² OJ L 346, 17.12.1997, p. 78.

prepare a review of the 'Revised 1958 Agreement', including a report for consideration by WP.29 at its March 2013 session.

- (4) The European Union should participate in the negotiations on the review of the 'Revised 1958 Agreement',

HAS ADOPTED THIS DECISION:

Article 1

The Commission is hereby authorised to negotiate, on behalf of the European Union, the review of the 'Revised 1958 Agreement'.

Article 2

The negotiating directives are set out in the Annex.

Article 3

The negotiations shall be conducted in consultation with the [name of the special committee to be inserted by the Council].

Article 4

This Decision is addressed to the Commission.

Done at Brussels,

*For the Council
The President*

ANNEX

DIRECTIVES FOR THE NEGOTIATION OF A REVIEW OF THE AGREEMENT OF THE UNITED NATIONS ECONOMIC COMMISSION FOR EUROPE CONCERNING THE ADOPTION OF UNIFORM TECHNICAL PRESCRIPTIONS FOR WHEELED VEHICLES, EQUIPMENT AND PARTS WHICH CAN BE FITTED AND/OR USED ON WHEELED VEHICLES AND THE CONDITIONS FOR THE RECIPROCAL RECOGNITION OF APPROVALS GRANTED ON THE BASIS OF THESE PRESCRIPTIONS

In accordance with the Terms of Reference established by the World Forum for the Harmonisation of Vehicle Regulations³, the review of the 'Revised 1958 Agreement' shall aim at fostering the participation of more countries and regional economic integration organisations in the activities of the World Forum and to increase the number of Contracting Parties to the Agreement, by improving its functioning and reliability, and thus ensuring that it remains the key international framework for the harmonisation of technical regulations in the automotive sector.

Particular attention shall be given to the procedures for developing, amending and adopting technical regulations for motor vehicles, and their implementation by Contracting Parties, and also to the conditions for granting type approvals and their mutual recognition. Other elements to be included for consideration are the methods for conformity assessment and certification procedures, including the responsibilities and competence of involved parties and aspects related to enforcement, such as ensuring conformity of production, market surveillance, safeguard measures and dispute settlement procedures.

In the negotiations, the Commission shall endeavour to preserve the rights the Union and its Member States have acquired as Contracting Parties of the "Revised 1958 Agreement".

³ Informal document No. WP.29-150-25
(<http://www.unece.org/fileadmin/DAM/trans/doc/2010/wp29/WP29-150-25e.pdf>)