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PROPOSAL

From:	Secretary-General of the European Commission, signed by Ms Martine DEPREZ, Director
To:	Ms Thérèse BLANCHET, Secretary-General of the Council of the European Union
Subject:	Proposal for a COUNCIL DECISION on the position to be adopted on behalf of the European Union in the World Forum for Harmonization of Vehicle Regulations of the United Nations Economic Commission for Europe as regards the June 2025 proposals for UN regulations

Delegations will find attached document COM(2025) 251 final.

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Proposal for a

COUNCIL DECISION

on the position to be adopted on behalf of the European Union in the World Forum for Harmonization of Vehicle Regulations of the United Nations Economic Commission for Europe as regards the June 2025 proposals for UN regulations

EXPLANATORY MEMORANDUM

1. SUBJECT MATTER OF THE PROPOSAL

This proposal is for a decision establishing the position to be taken on the EU's behalf in the World Forum for Harmonization of Vehicle Regulations of the United Nations Economic Commission for Europe (WP.29) on the adoption of modifications to current United Nations (UN) regulations.

2. CONTEXT OF THE PROPOSAL

2.1. The Revised 1958 Agreement and the Parallel Agreement

Two agreements are in place to develop harmonised requirements to remove technical barriers to trade in motor vehicles between the United Nations Economic Commission for Europe (UNECE) contracting parties, and to ensure that motor vehicles offer a high level of safety and environmental protection. These are:

- the Agreement of the UNECE on 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 (the 'Revised 1958 Agreement'); and
- the Agreement concerning the establishing of global technical regulations for wheeled vehicles, equipment and parts which can be fitted and/or be used on wheeled vehicles (the 'Parallel Agreement').

The agreements entered into force for the EU on 24 March 1998 and 15 February 2000 respectively. Work related to these agreements is overseen by WP.29.

2.2. The World Forum for Harmonization of Vehicle Regulations of the United Nations Economic Commission for Europe

WP.29 provides a unique framework for globally harmonised regulations on vehicles. WP.29 is a permanent working party in the UN institutional framework with a specific mandate and specific rules of procedure. It works as a global forum enabling open discussions on motor vehicle regulations and on the implementation of the Revised 1958 Agreement and the Parallel Agreement. Any UN member and any regional economic integration organisation set up by UN members may fully participate in the activities of WP.29 and become a contracting party to the agreements on vehicles overseen by WP.29. The EU is a party to these agreements¹.

WP.29 meets three times a year, in March, June and November. To reflect technical progress, at each meeting, WP.29 can adopt:

new UN regulations;

new UN resolutions;

¹ Council Decision 97/836/EC of 27 November 1997 with a view to accession by the European Community 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') (OJ L 346, 17.12.1997, p. 78). Council Decision 2000/125/EC of 31 January 2000 concerning the conclusion of the Agreement concerning the establishing of global technical regulations for wheeled vehicles, equipment and parts which can be fitted and/or be used on wheeled vehicles ('Parallel Agreement') (OJ L 35, 10.2.2000, p. 12).

new UN global technical regulations (UN GTRs);

modifications to UN regulations and resolutions under the Revised 1958 Agreement; and

modifications to UN GTRs and resolutions under the Parallel Agreement.

Before each WP.29 meeting, dedicated subsidiary bodies of WP.29 discuss these modifications at technical level.

Subsequently, WP.29 can adopt proposals:

by a qualified majority of the contracting parties present and voting for proposals under the Revised 1958 Agreement; or

by a consensus vote of the contracting parties present and voting for proposals under the Parallel Agreement.

Before each WP.29 meeting, a Council Decision under Article 218(9) of the Treaty on the Functioning of the European Union (TFEU) establishes the position to be taken on behalf of the EU on:

new UN regulations, UN GTRs and UN resolutions; and

amendments, supplements and corrigenda to UN regulations, UN GTRs and UN resolutions.

2.3. The envisaged act of WP.29

From 24 to 27 June 2025, during its 196th session, WP.29 may adopt:

proposals for modifications to UN regulation Nos 9, 13, 16, 17, 30, 35, 41, 44, 54, 61, 75, 79, 108, 109, 117, 129, 131, 134, 142, 152, 157, 170, 171, 172, 173, 174 and 175;

a proposal for a new UN regulation on emergency lane keeping system (ELKS); and

a proposal for an amendment to UN GTR No 24.

3. POSITION TO BE TAKEN ON THE EU'S BEHALF

The WP.29 system strengthens international harmonisation of vehicle standards. The Revised 1958 Agreement plays a key role in achieving this objective. EU manufacturers can use a common set of type approval regulations knowing that contracting parties will recognise their products as compliant with their national legislation.

This made it possible for Regulation (EC) No 661/2009 on the general safety of motor vehicles² to repeal more than 50 EU directives and replace them with corresponding regulations developed under the Revised 1958 Agreement.

Regulation (EU) 2018/858 of the European Parliament and of the Council³ follows a similar approach. It lays down administrative provisions and technical requirements for type approval and placing on the market of all new vehicles, systems, components and separate technical units. This Regulation incorporates regulations adopted under the Revised 1958 Agreement in the EU type approval system, either as requirements for type approval or as alternatives to EU legislation.

² Repealed and replaced by Regulation (EU) 2019/2144.

³ Regulation (EU) 2018/858 of the European Parliament and of the Council of 30 May 2018 on the approval and market surveillance of motor vehicles and their trailers, and of systems, components and separate technical units intended for such vehicles, amending Regulations (EC) No 715/2007 and (EC) No 595/2009 and repealing Directive 2007/46/EC (OJ L 151, 14.6.2018, p. 1).

Once WP.29 has adopted a proposal for a new UN regulation or for modifications to an existing UN regulation, UNECE's Executive Secretary notifies the corresponding act to the contracting parties. Unless a blocking minority of contracting parties objects within 6 months, the act enters into force. Then, each contracting party can transpose the act into its applicable national rules. In the EU, the act's publication in the *Official Journal of the EU* completes the transposition process.

The EU's position needs to be established on the following acts:

- proposals for modifications to UN regulation Nos 9, 13, 16, 17, 30, 41, 44, 54, 61, 75, 79, 108, 109, 117, 129, 131, 134, 142, 152, 157, 170, 171, 172, 173, 174 and 175 to update provisions on:
 - noise of three-wheeled vehicles – the proposed amendments seek to introduce the latest state-of-the-art International Standard (ISO) 10844:2024 provisions that reduce track-to-track variability caused by different interpretations and implementations of the technical requirements;
 - heavy vehicle braking - the proposed amendments aim to enable the use of a park lock device as an alternative to a friction type parking braking system to fulfil the static requirements of UN Regulation No. 13 for parking braking systems;
 - safety-belts – the proposed amendments intend to clarify how to perform the buckle-opening test, simulating the load caused by a 60 kg body;
 - strength of seats – the proposed amendments aim to improve the whiplash behaviour of occupants of a smaller stature and, in particular, of female drivers;
 - tyres for passenger cars and their trailers – the proposed amendments seek to align some definitions and requirements with the latest ISO 4000-1:2024 provisions;
 - noise emissions of motorcycles – the proposed amendments aim to strengthen the provisions preventing test defeating and facilitate the conformity of production testing. The proposed amendments also seek to introduce additional sound emission provisions;
 - child restraint systems – the proposed amendments intend to clarify transitional provisions in relation to the application of UN regulation Nos 129 and 170;
 - tyres for commercial vehicles and their trailers – the proposed amendments aim to introduce several clarifications;
 - external projections of commercial vehicles – the proposed amendments intend to update the references related to the three-dimensional H-point (3-D "H"-point) measurement and calibration procedure;
 - tyres for motorcycles/mopeds - the proposed amendments seek to align the categories of use to "normal tyre", "snow tyre" and "special-use tyre" in line with UN regulation Nos 30 and 54;
 - steering – the proposed amendments aim to improve the terminology concerning the status of the system following an “engine start / run cycle” and clarify the provisions for full power steering systems such as steer-by-wire systems;

- retreaded tyres for passenger cars and their trailers - the proposed amendments aim to introduce several corrections and align the snow tyre definition with those in UN regulation Nos 109 and 172;
- retreaded tyres for commercial vehicles and their trailers - the proposed amendments aim to introduce several corrections and align several definitions with UN regulation No 54;
- tyre rolling resistance, rolling noise and wet grip - the proposed amendments seek to update references to the latest international standard specification ASTM F2493-24 and ISO 4000-1:2024 and align definitions with those in UN regulation Nos 30 and 54. The proposed amendments also aim to standardise the water depth measurement precision method;
- enhanced child restraint systems - the proposed amendments aim to define more accurately the prerequisites for granting of type approval numbers for "enhanced child restraint systems" and better coordinate the issuing of type-approval numbers between UN regulation Nos 129 and 170;
- advanced emergency braking systems (AEBS) - the proposed amendments aim to improve the terminology concerning the status of the system following an “engine start / run cycle”;
- hydrogen and fuel cell vehicles – the proposed amendments seek to clarify the order of the permeation and leakage tests;
- tyre installation - the proposed amendments aim to introduce several corrections as to the definitions and requirements of different categories of use of tyres;
- advanced emergency braking systems (AEBS) for M1 and N1 vehicles - the proposed amendments aim to improve the terminology concerning the status of the system following an “engine start / run cycle”;
- automated lane keeping systems (ALKS) - the proposed amendments aim to improve the terminology concerning the status of the system following an “engine start / run cycle”;
- child restraint systems for safer transport of children in buses and coaches – the proposed amendments seek to align the text of the regulations with other UN regulation Nos 44 and 129, covering adult and child safety;
- driver control assistance systems - the proposed amendments aim to introduce several editorial corrections;
- snow performance of retreaded tyres and classification as traction tyre – the proposed amendments seek to introduce a new class of reference tyres and introduce new transitional provisions;
- installation of safety-belts, restraint systems, child restraint systems, ISOFIX child restraint systems and i-Size child restraint systems – the proposed amendments seek to introduce new test method of the buckle strap assembly and new transitional provisions;
- safety-belt reminders - the proposed amendments seek to clarify the exemptions for folding seat requirements and introduce new transitional provisions; and

- acceleration control for pedal error (ACPE) – the proposed amendments intend to include provisions for the approval for ACPE for vehicles of Category N1 as well as introduce additional performance requirements for additional scenarios; and
- a proposal for:
 - a new UN regulation on emergency lane keeping system (ELKS) – this proposal for a new regulation intends to transpose the requirements of the Commission implementing regulation (EU) 2021/646; and
 - an amendment to UN GTR No 24 – the proposed amendments aim to improve the overall protocol of the measurement of brake particle emissions.

WP.29 plans to vote on these proposals at its meeting of 24 to 27 June 2025.

In addition, the EU's position needs to be established on:

- a request for authorization to develop a new UN GTR in the area of Children Left in Vehicles for category 1 vehicles – the request seeks to authorise the drafting of regulatory requirements for category 1 vehicles and initiating the development of a new UN GTR in parallel with a UN Regulation.

The EU should support the above acts as they are in line with its internal market policy on the automotive industry regarding safety, automation, and emissions, as well as its geopolitics, transport, climate and energy policies.

All of these acts have a very positive impact on the competitiveness of the EU automotive sector and on international trade. A vote in favour of these acts would foster technological progress, provide economies of scale, prevent fragmentation of the internal market and ensure that automotive standards are applied uniformly across the EU.

External expertise is not relevant for this proposal. However, the Technical Committee on Motor Vehicles has reviewed this proposal.

4. LEGAL BASIS

4.1. Procedural legal basis

4.1.1. Principles

Article 218(9) TFEU states that the Council adopts decisions establishing ‘the positions to be adopted on the Union’s behalf in a body set up by an agreement, when that body is called upon to adopt acts having legal effects, with the exception of acts supplementing or amending the institutional framework of the agreement.’

The concept of ‘acts having legal effects’ includes acts that have legal effects because of the rules of international law governing the body in question. The concept of ‘acts having legal effects’ also includes instruments that do not have a binding effect under international law, but that are ‘capable of decisively influencing the content of the legislation adopted by the EU legislature’⁴.

⁴ Judgment of the Court of Justice of 7 October 2014, *Germany v Council*, C-399/12, ECLI:EU:C:2014:2258, paragraphs 61 to 64.

4.1.2. Application to the present case

WP.29 is a body in which the UNECE contracting parties discuss the implementation of the Revised 1958 Agreement and the Parallel Agreement.

The acts that WP.29 is called upon to adopt are acts that have legal effects.

The UN regulations set out in the envisaged act will be binding on the EU. Together with the UN GTR, they will be able to decisively influence the content of EU legislation in the field of vehicle type approval.

The envisaged acts do not supplement or amend the institutional framework of the Agreement.

Therefore, the procedural legal basis for the proposed decision is Article 218(9) TFEU.

4.2. Substantive legal basis

4.2.1. Principles

The substantive legal basis for a decision under Article 218(9) TFEU depends primarily on the objective and content of the envisaged act on which a position is taken on the EU's behalf.

An envisaged act can have two aims or components, one of which can be identified as the main one and the other as merely incidental. In this case, the decision under Article 218(9) TFEU must be founded on a single substantive legal basis, namely the one for the main or predominant aim or component.

4.2.2. Application to the present case

The main objective and content of the envisaged act is the approximation of laws. Therefore, the substantive legal basis of the proposed decision is Article 114 TFEU.

4.3. Conclusion

The legal basis of the proposed decision should be Article 114 TFEU, read in conjunction with Article 218(9) TFEU.

Proposal for a

COUNCIL DECISION

on the position to be adopted on behalf of the European Union in the World Forum for Harmonization of Vehicle Regulations of the United Nations Economic Commission for Europe as regards the June 2025 proposals for UN regulations

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 114, read in conjunction with Article 218(9) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) By Council Decision 97/836/EC¹, the Union acceded to the Agreement of the United Nations Economic Commission for Europe (UNECE) 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'). The Revised 1958 Agreement entered into force on 24 March 1998.
- (2) By Council Decision 2000/125/EC², the Union acceded to the Agreement concerning the establishing of global technical regulations for wheeled vehicles, equipment and parts which can be fitted and/or be used on wheeled vehicles ('Parallel Agreement'). The Parallel Agreement entered into force on 15 February 2000.
- (3) Regulation (EU) 2018/858 of the European Parliament and of the Council³ lays down administrative provisions and technical requirements for type approval and placing on the market of all new vehicles, systems, components and separate technical units. This Regulation incorporates regulations adopted under the Revised 1958 Agreement ('UN regulations') in the EU type approval system, either as requirements for type approval or as alternatives to Union legislation.

¹ Council Decision 97/836/EC of 27 November 1997 with a view to accession by the European Community 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') (OJ L 346, 17.12.1997, p. 78, ELI: <http://data.europa.eu/eli/dec/1997/836/oj>).

² Council Decision 2000/125/EC of 31 January 2000 concerning the conclusion of the Agreement concerning the establishing of global technical regulations for wheeled vehicles, equipment and parts which can be fitted and/or be used on wheeled vehicles ('Parallel Agreement') (OJ L 35, 10.2.2000, p. 12, ELI: <http://data.europa.eu/eli/dec/2000/125/oj>).

³ Regulation (EU) 2018/858 of the European Parliament and of the Council of 30 May 2018 on the approval and market surveillance of motor vehicles and their trailers, and of systems, components and separate technical units intended for such vehicles, amending Regulations (EC) No 715/2007 and (EC) No 595/2009 and repealing Directive 2007/46/EC (OJ L 151, 14.6.2018, p. 1, ELI: <http://data.europa.eu/eli/reg/2018/858/oj>).

- (4) Pursuant to Article 1 of the Revised 1958 Agreement and Article 6 of the Parallel Agreement, the World Forum for Harmonization of Vehicle Regulations (WP.29) may adopt proposals for modifications to UN regulations, UN global technical regulations (UN GTRs) and UN resolutions, and proposals for new UN regulations, UN GTRs and UN resolutions on the approval of vehicles. Moreover, pursuant to those provisions, WP.29 may adopt proposals for authorisations to develop amendments to UN GTRs or to develop new UN GTRs, and may adopt proposals for the extension of mandates for UN GTRs.
- (5) From 24 to 27 June 2025, during the 196th session of the World Forum for Harmonization of Vehicle Regulations, WP.29 may adopt:
- (6) proposals for modifications to UN regulation Nos 9, 13, 16, 17, 30, 35, 41, 44, 54, 61, 75, 79, 108, 109, 117, 129, 131, 134, 142, 152, 157, 170, 171, 172, 173, 174 and 175; a proposal for a new UN regulation on emergency lane keeping system (ELKS); and a proposal for an amendment to UN GTR No 24.
- (7) In order to reflect field experience and technical developments during the type approval process, the requirements for certain aspects or features covered by UN regulation Nos 9, 13, 16, 17, 30, 41, 44, 54, 61, 75, 79, 108, 109, 117, 129, 131, 134, 142, 152, 157, 170, 171, 172, 173, 174 and 175; and UN GTR No 24 need to be amended or supplemented.
- (8) In order to allow for technological progress and to promote road safety, a new UN regulation on emergency lane keeping system (ELKS) needs to be adopted.
- (9) These proposals are in line with the Union's strategic policy orientations concerning the automotive industry, i.e. the Industrial Action Plan for the European automotive sector and the Clean Industrial Deal.
- (10) The UN regulations will be binding on the Union. Together with the UN GTR they will influence the content of Union legislation in the field of vehicle type approval. Therefore, it is appropriate to establish the position to be taken on the Union's behalf in WP.29 as regards the adoption of those proposals.

HAS ADOPTED THIS DECISION:

Article 1

The position to be taken on the Union's behalf in the 196th session of the World Forum for Harmonization of Vehicle Regulations to be held from 24 to 27 June 2025 shall be to vote in favour of the proposals listed in the Annex to this Decision.

Article 2

This Decision shall enter into force on the date of its adoption.

Done at Brussels,

*For the Council
The President*