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**ECONOMIC COMMISSION FOR EUROPE**

**INLAND TRANSPORT COMMITTEE**

**Working Party on Customs Questions  
affecting Transport**

**(21 to 23 October 1998)**

**PROVISIONAL AGENDA FOR THE NINETY-FIRST SESSION**

**to be held at the Palais des Nations, Geneva,  
starting at 14.30 hours on Wednesday, 21 October 1998 \*/**

**1. Adoption of the agenda**

**TRANS/WP.30/181**

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**\*/ In accordance with the request of the Inland Transport Committee and the decision taken by the Working Party at its ninetieth session, a half-day joint meeting with the ECE Working Party on Road Transport (SC.1) will be convened on 21 October 1998, starting at 09.30 hours. The provisional agenda for this joint meeting has been distributed as TRANS/WP.30/181/Add.1.**

**For reasons of economy, delegates are requested to bring copies of the documents mentioned in this provisional agenda to the meeting. There will be no documentation available in the meeting room. Before the meeting, missing documents may be obtained directly from the ECE Transport Division in Geneva (Fax: +41-22-917-0039; E-mail: martin.magold@unece.org). Documents can also be downloaded (English only) from the ECE Transport Division web site (www.unece.org/trans). During the meeting, missing documents may be obtained from the Documents Distribution Section (room C.111, 1st floor, Palais des**

Nations, Geneva).

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2. **Activities of ECE bodies and other United Nations organizations of interest to the Working Party**

**E/1998/38-E/ECE/1365**

3. **Activities of other organizations of interest to the Working Party**

(a) **World Customs Organization (WCO)**

(b) **European Commission (EC)**

4. **Customs Convention on the International Transport of Goods Under Cover of TIR Carnets (TIR Convention, 1975)**  
[www.unece.org/trans/welctir.html](http://www.unece.org/trans/welctir.html)

**TIR Handbook**  
**(UN Sales Publication E, F, R)**

(a) **Status of the Convention**

**TRANS/WP.30/AC.2/49, annex**

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(b) **Revision of the Convention**

(i) **Status of the revision process**  
**C.N.433.1997.TREATIES-1**

**TRANS/WP.30/AC.2/47, annex**

2

**and Corrs. 1 and 2**

(ii) **Implementation of phase I of the TIR revision process**

- **National procedures**

**TRANS/WP.30/AC.2/51**  
**TRANS/WP.30/AC.2/49**

- **Implementation of new annex 9, Part I, paragraph 1 (f)(v)**

**TRANS/WP.30/AC.2/51**  
**TRANS/WP.30/1998/11**  
**TRANS/WP.30/1998/7**  
**TRANS/WP.30/AC.2/49**  
**TRANS/WP.30/180**

(iii) **Proposals for amendments to the Convention (phase II of the TIR revision process)**

- **Report of the Ad Hoc Group**  
**TRANS/WP.30/1998/CRP...**  
**of Experts**

**TRANS/WP.30/1998/11**  
**TRANS/WP.30/1998/5**  
**and Corr.1**

**(c) Application of the Convention**

<b>(i) Status of resolution No. 49</b>	<b>TRANS/WP.30/162, annex 2 TRANS/WP.30/R.164</b>
<b>(ii) EDI control system for TIR Carnets: Implementation of the Recommendation adopted on TRANS/WP.30/AC.2/37, 20 October 1995</b>	<b>TRANS/WP.30/AC.2/51 TRANS/WP.30/178  annex 4</b>
<b>(iii) Settlement of claims for payments</b>	<b>TRANS/WP.30/180 TRANS/WP.30/178 TRANS/WP.30/174 TRANS/WP.30/172 TRANS/WP.30/168</b>
<b>(iv) Interpretation of article 8, paragraph 7</b>	<b>TRANS/WP.30/1998/4 TRANS/WP.30/1998/2</b>
<b>(v) Interpretation of article 3</b>	<b>TRANS/WP.30/178 TRANS/WP.30/R.191</b>
<b>(vi) Improved procedures in the use of (1998) TIR Carnets by transport operators</b>	<b>Informal Document No.3  TRANS/WP.30/178 TRANS/WP.30/R.196</b>
<b>(vii) Application of article 18 in respect of partial discharge procedures</b>	<b>TRANS/WP.30/180</b>
<b>(viii) Validity of curtain-sided vehicles</b>	<b>TRANS/WP.30/1998/14 TRANS/WP.30/180 TRANS/WP.30/168 TRANS/WP.30/166 TRANS/WP.30/R.166</b>
<b>(ix) International directory of TIR focal points</b>	<b>Restricted document (available at the session) <a href="http://www.unece.org/trans/main">www.unece.org/trans/main</a></b>



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| <b>(x) International register on Customs sealing devices</b>   | <b>Restricted document<br/>(available at the session)</b>  |
| <b>(xi) Other matters</b>  |  |
| <b>5. Customs Conventions on the Temporary Importation of Private Road Vehicles (1954) and Commercial Road Vehicles (1956)</b> | <b>ECE/TRANS/107<br/>ECE/TRANS/108</b>   |
| <b>(a) Initiation of the amendment procedure for article 13, new paragraph 4 of the 1954 Convention</b>                        | <b>TRANS/W.30/178<br/>TRANS/W.30/168</b>   |
| <b>(b) Status of resolution No. 48</b>   | <b>TRANS/WP.30/151, annex 4</b>  |
| <b>(c) Difficulties in the application of the 1954 Convention in Australia</b>   | <b>TRANS/WP.30/1998/3<br/>TRANS/WP.30/178<br/>TRANS/WP.30/1997/4<br/>TRANS/WP.30/176</b>             |
| <b>6. Customs Convention Concerning Spare Parts Used for Repairing EUROP Wagons</b>  |  |
| <b>Revision of the Convention</b>  | <b>TRANS/WP.30/178<br/>TRANS/WP.30/174<br/>TRANS/WP.30/R.169</b>                                     |
| <b>7. Convention on Customs Treatment of Pool Containers Used in International Transport</b>                                   | <b>ECE/TRANS/106<br/>ECE publication<br/>TRANS/WP.30/162<br/>TRANS/WP.30/159<br/>TRANS/WP.30/157</b> |
| <b>8. Prevention of the abuse of Customs transit systems by smugglers</b>  |  |
| <b>9. Follow-up to the joint session on border crossing problems with the ECE Working Party on Road Transport (SC.1)</b>       | <b>TRANS/WP.30/181/Add.1<br/>TRANS/WP.30/1998/9<br/>TRANS/WP.30/1998/10<br/>TRANS/WP.30/1998/12</b>  |

**10. Programme of work**

**TRANS/WP.30/181, annex**

**11. Other business**

**(a) Dates of next sessions**

**(b) Restriction on the distribution  
of documents**

**12. Adoption of the report**

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## EXPLANATORY NOTES

**The secretariat proposes the following schedule of work:**

<b>Wednesday, 21 October 1998 (morning):</b>	<b>Joint Meeting with the ECE Working Party on Road Transport (SC.1)</b>
<b>Wednesday, 21 October 1998 (afternoon):</b>	<b>Agenda items 1 to 4 (b)(iii)</b>
<b>Thursday, 22 October 1998:</b>	<b>Agenda items 4 (b)(iii) to 4 (c)(xi)</b>
<b>Friday, 23 October 1998 (morning):</b>	<b>Agenda items 5 to 11</b>
<b>Friday, 23 October 1998 (afternoon):</b>	<b>Adoption of reports: TIR Group of Experts Working Party (WP.30)</b>

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### **1. ADOPTION OF THE AGENDA**

**In accordance with the Commission's rules of procedure, the first item to be considered is the adoption of the agenda (TRANS/WP.30/181).**

### **2. ACTIVITIES OF ECE BODIES AND OTHER UNITED NATIONS ORGANIZATIONS OF INTEREST TO THE WORKING PARTY**

**The Working Party will be informed about the results of the fifty-third session of the Economic Commission for Europe (21-23 April 1998) (E/1998/38-E/ECE/1365) as well as of relevant sessions of its subsidiary bodies as they relate to matters of interest to the Working Party.**

### **3. ACTIVITIES OF OTHER ORGANIZATIONS OF INTEREST TO THE WORKING PARTY**

#### **(a) World Customs Organization (WCO)**

**The Working Party will be informed about recent activities of the WCO, in particular on the progress made in the revision of the Kyoto Convention and on the status of the Convention on Temporary Admission (Istanbul Convention, 1990).**





**(b) European Commission (EC)**

**The Working Party will be informed of recent activities of the European Commission's Directorate General for Customs and Indirect Taxation (DG XXI), in particular on the progress made in the revision of the Community/Common Transit systems and on the implementation of the New Computerized Transit System (NCTS).**

**4. CUSTOMS CONVENTION ON THE INTERNATIONAL TRANSPORT OF GOODS UNDER COVER OF TIR CARNETS (TIR CONVENTION, 1975)**

**(a) Status of the Convention**

**The Working Party will be informed of the situation concerning the scope and the number of Contracting Parties to the TIR Convention, 1975. On 2 April 1998 the Government of Kyrgyzstan deposited an instrument of accession to the Convention and will therefore become a Contracting Party as of 2 October 1998.**

**Updated information on the status of the Convention will be provided at the session.**

**(b) Revision of the Convention**

**(i) Status of the revision process**

**The Working Party may recall that on 17 November 1997, the Legal Office of the United Nations in New York had issued depositary notification C.N.433.1997.TREATIES-1 containing the amendment proposals adopted by the TIR Administrative Committee on 27 June 1997 under phase I of the TIR revision process (TRANS/WP.30/AC.2/47, annex 2). Copies of this depositary notification in English, French and Russian may be obtained from the ECE secretariat.**

**As the Administrative Committee had decided that the amendment procedure in line with article 59 of the Convention should apply, all amendment proposals would, if no objections were raised until 17 November 1998, come into force 15 months following the date of communication of the proposed amendments by the Secretary-General of the United Nations through the above-mentioned depositary notification, i.e. on 17 February 1999.**

**In this context, the Working Party may wish to note that the ECE secretariat has issued two corrigenda to the report of its twenty-third session (26 and 27 June 1997) containing in annex 2 the adopted amendment proposals (TRANS/WP.30/AC.2/47/Corrs.1 and 2). These corrigenda, the content of which has not yet been reflected in the above Depositary Notification, rectify three typing errors in the adopted amendment proposals.**

**As of 10 August 1998, the secretariat has not been informed of any objection to the above amendment proposals.**

**(ii) Implementation of phase I of the TIR revision process**

**- National procedures**

**The Working Party may wish to note that the TIR Administrative Committee, expecting that by 17 November 1998 no objection would have been raised to the amendment proposals adopted under phase I of the TIR revision process, had requested all competent authorities of Contracting Parties, national associations and the IRU to implement in a cooperative spirit, at the latest as of 17 November 1998, all required new provisions, particularly those contained in new annex 9, Part I and Part II of the revised Convention as contained in document TRANS/WP.30/AC.2/47, annex 2 (TRANS/WP.30/AC.2/49, paras. 16-17; TRANS/WP.30/AC.2/51, paras. 11-13).**

**So far, the secretariat has not been made aware of any specific problems which countries and associations might envisage in the implementation of the above amendment proposals. Delegations are invited to report any envisaged difficulties as soon as possible.**

**In this context, the Working Party may wish to take note that the TIR Administrative Committee had welcomed and endorsed the proposal of Turkey to host a session of the TIR Contact Group in Istanbul, to be convened most probably on 2 and 3 December 1998, in order to discuss openly among Customs authorities, national associations and the transport industry all practical aspects related to the application of the new provisions of the Convention. More details on this meeting will be provided at the session.**

**- Implementation of new annex 9, Part I, paragraph 1 (f)(v)**

**The Working Party may wish to recall that, at its ninetieth session, it had prepared a comment on the application of the provisions of new annex 9, Part I, paragraph 1 (f)(v) of the Convention. Subsequently, this comment had been adopted by the TIR Administrative Committee (TRANS/WP.30/180, paras. 19-23; TRANS/WP.30/AC.2/49, paras. 18-21). The**

**Working Party had also invited the International Road Transport Union (IRU) and its member associations to transmit the draft of the new global insurance contract, in line with the adopted comment and the provisions of the revised Convention, to the secretariat for consideration by the group of experts at its second session. The draft text of the new global insurance contract, as contained in document TRANS/WP.30/1998/7, was then considered provisionally, up to article 5, at the second session of the ad hoc group of experts on phase II of the TIR revision process (24-26 June 1998). In examining the draft contract, the group of experts realized that, in order not to jeopardize the acceptance of the global insurance contract by some Contracting Parties once the amended Convention had come into force, it would be necessary to amend the earlier adopted comment (TRANS/WP.30/1998/11, paras. 28-36). The TIR Administrative Committee, at its twenty-fifth session (26 June 1998), agreed with this proposal and approved an amendment to this comment. The Committee also decided on a specific time period of six months for the termination of the global insurance contract (TRANS/WP.30/AC.2/51, paras. 14-19).**

**The Working Party may wish to approve the comments of the group of experts on the draft insurance contract, as contained in document TRANS/WP.30/1998/7, and may wish to recommend the approval of the contract, including the comments made, by all Contracting Parties in accordance with the new annex 9, Part I, paragraph 1 (f)(v) of the Convention - once the relevant amendment proposals have come into force.**

**(iii) Proposals for amendments to the Convention (phase II of the TIR revision process)**

**The Working Party may wish to consider the views expressed and amendment proposals prepared by the ad hoc group of experts on phase II of the TIR revision process as contained in the reports of its first (2-3 April 1998), second (24-26 June 1998) and third (19-20 October 1998) sessions (TRANS/WP.30/1998/5 and Corr.1; TRANS/WP.30/1998/11; TRANS/WP.30/CRP...).**

**In particular, the group of experts has considered the following issues:**

- **Stable and well-functioning international guarantee system**
- **Status and functions of the international organization(s)**
- **Harmonized discharge procedures**
- **Definition of the holder of TIR Carnets**
- **Reduction in the notification periods for Customs claims**
- **Alternative forms of evidence as proof for the discharge of TIR Carnets**
- **EDI control system for TIR Carnets**
- **Re-introduction of the guarantee coverage for sensitive goods, including tobacco and alcohol**

- **Revision of the TIR Carnet**
- **Computerization of the TIR transit procedure.**

**The Working Party may wish to approve the amendment proposals prepared by the group of experts with a view to their transmission to the TIR Administrative Committee for consideration and adoption at its February 1999 session.**

(c) **Application of the Convention**

(i) **Status of resolution No. 49**

**Resolution No. 49: "Short-term measures to ensure the security and the efficient functioning of the TIR transit system" adopted by the Working Party at its eighty-first session (TRANS/WP.30/162, annex 2) has been officially accepted so far by the following Contracting Parties to the Convention: Austria; Belarus; Belgium; Bulgaria; Croatia; Czech Republic; Denmark; Estonia; Finland; France; Germany; Greece; Hungary; Iran (Islamic Republic of); Ireland; Italy; Jordan; Latvia; Lithuania; Luxembourg; Netherlands; Norway; Poland; Portugal; Romania; Russian Federation; Slovakia; Slovenia; Spain; Sweden; Switzerland; Turkey; United Kingdom; European Community.**

**Other Contracting Parties to the Convention that have not yet informed the Executive Secretary of the ECE of their acceptance of resolution No. 49 are requested to do so as soon as possible.**

(ii) **EDI control system for TIR Carnets: Implementation of the Recommendation adopted on 20 October 1995**

**The Working Party may wish to recall that, at its eighty-ninth session, the representatives of the IRU had announced that in due course the IRU would make available on-line information on discharged TIR Carnets as well as on stolen or otherwise "invalid" TIR Carnets to interested Customs authorities by means of either (a) telephone lines using a PC and a modem; (b) the Internet or by (c) e-mail systems. These facilities would improve inquiry procedures by Customs authorities to obtain precise information about the place and the time of discharge of TIR Carnets (TRANS/WP.30/178, paras. 41-45).**

**As of 15 August 1998, access to the IRU database providing the above information will be possible for registered users only.**

**In order to facilitate access to the IRU database, as provided for in the recommendation adopted by the TIR Administrative Committee on 20 October 1995 (TRANS/WP.30/AC.2/37, annex 4), the ECE secretariat had been invited by the TIR Administrative Committee to convene an informal group of experts to prepare inter alia a user manual for Customs authorities (TRANS/WP.30/AC.2/51, para. 30). A first version of such a manual will be available at the session (English only) which may be used as a basis for discussion. An on-line demonstration of the possibilities of the system for Customs authorities will be made during the session.**

**(iii) Settlement of claims for payments**

**The Working Party may wish to be informed by the IRU on further progress made in the current arbitration procedure, initiated by the IRU, to obtain payment for Customs claims presented to the previous insurers of the international guaranteeing chain which had denounced their contract with the IRU at the end of 1994 (TRANS/WP.30/180, para. 36; TRANS/WP.30/178, para. 47; TRANS/WP.30/174, para. 32; TRANS/WP.30/172, para. 17; TRANS/WP.30/168, paras. 28-35).**

**The Working Party may also wish to be informed by Customs authorities and the IRU of the present situation with regard to the settlement of claims for payments made by Customs authorities against national guaranteeing associations.**

**(iv) Interpretation of article 8, paragraph 7**

**Following a discussion on the interpretation of article 8 of the Convention, particularly paragraphs 1 and 7, and with a view to being informed about common administrative practices in the lodging of Customs claims, the Working Party, at its eighty-ninth session, appreciated the offers of Turkey and the IRU to present short documents on these issues for consideration by the Working Party at its next session (TRANS/WP.30/178, para. 51). Due to lack of time, the Working Party, at its ninetieth session, could not consider this matter (TRANS/WP.30/180, para. 40).**

**The Working Party may wish to consider this matter on the basis of documents transmitted by Turkey (TRANS/WP.30/1998/2) and the IRU (TRANS/WP.30/1998/4).**

**(v) Interpretation of article 3**

**As decided at its eighty-ninth session, the Working Party may wish to continue its consideration on the validity of article 3 of the Convention and, specifically, on the question as to whether it was acceptable to apply the TIR procedure for the transport of buses and trucks whether unloaded or loaded being driven on their own wheels, implying that these vehicles themselves were regarded as the "goods" transported under the TIR procedure. Taking account of a draft comment on this matter prepared by the ECE secretariat (TRANS/WP.30/R.191), the Working Party had approved in principle the comment contained in annex 1 to its report (TRANS/WP.30/178).**

**Since the representatives of Turkey had reserved their position on the acceptance of this comment, the Working Party had decided to revert once more to this matter at its forthcoming**

**session before transmitting it to the TIR Administrative Committee for endorsement (TRANS/WP.30/178, paras. 53 and 54). Due to lack of time, the Working Party, at its ninetieth session, could not consider this matter (TRANS/WP.30/180, para. 40).**



**The Working Party may wish to arrive at a consensus view on this matter, adopt a comment thereon for inclusion into the TIR Handbook and transmit this comment to the TIR Administrative Committee for endorsement.**

**(vi) Improved procedures in the use of TIR Carnets by transport operators**

**With a view to reducing the possibilities for fraudulent discharge of TIR Carnets at Customs offices of destination, the Working Party, at its eighty-ninth session, had a first exchange of views on the feasibility of recommending or prescribing in the Convention that the holder of the TIR Carnet or his agent (driver) should deal directly with Customs agents in the discharge of TIR Carnets. It had felt that, in principle, the procedure described in secretariat document TRANS/WP.30/R.196 was in line with the provisions and the spirit of the Convention. Since the TIR Carnet was a Customs document providing also proof of a financial guarantee by the transport operator (the holder), the transport operator had the right to insist on dealing directly with Customs agents in the discharge of TIR Carnets.**

**In this context, the Working Party had been of the view that the wording of article 28 and/or of explanatory note 0.28 in annex 6 of the Convention should be reviewed to ensure that discharge of TIR Carnets could take place without delay and that persons acting under other Customs regimes (importation, warehousing, etc.) did not get involved in the discharge of TIR Carnets (TRANS/WP.30/178, paras. 55-58).**

**The Working Party may wish to continue its consideration of this matter, also taking account of an informal document transmitted to the ninetieth session of the Working Party by the IRU (Informal document No.3 (1998)), with a view to proposing practical solutions for the improvement of the TIR procedure.**

**(vii) Application of article 18 in respect of partial discharge procedures**

**On the proposal of the IRU, the Working Party, at its ninetieth session, had decided to consider the practical application of article 18 in respect of partial discharge procedures. Due to lack of time, the matter was not considered (TRANS/WP.30/180, para. 63).**

**The Working Party may wish to consider this matter following an introduction to respective practical problems to be provided by the IRU.**

**(viii) Validity of curtain-sided vehicles**

At its eighty-third and eighty-fourth sessions in 1996, the Working Party had considered the validity of curtain-sided vehicles under the Convention on the basis of a document transmitted by the United Kingdom (TRANS/WP.30/R.166). At earlier sessions, the Working Party had already considered this issue and did not approve such load compartments with sliding sheets. At the eighty-fourth session of the Working Party, some delegations were of the view that the type of construction as described in the document of the United Kingdom was Customs secure, but that its inspection at Customs offices would be very complicated and time consuming. The Working Party decided to study this matter further and to consider, if acceptable, appropriate amendments to annex 2, article 3 of the Convention (TRANS/WP.30/168, paras. 39-40; TRANS/WP.30/166, paras. 38-39).

At the request of the IRU, noting that this unresolved question caused concern among transport operators, taking account of a presentation made by the Czech Republic at the ninetieth session of the Working Party (TRANS/WP.30/180, paras. 47-48), and on the basis of a document transmitted by the Czech Republic (TRANS/WP.30/1998/14), the Working Party may wish to continue its consideration of this matter with a view to providing guidance to transport operators and manufacturers of load compartments.

**(ix) International directory of TIR focal points**

In accordance with resolution No. 49, the secretariat has set up and maintains an international directory of TIR focal points that could be addressed in case of inquiries in relation to the TIR procedure. The directory contains names and addresses of persons as well as other useful information on Customs administrations and national associations dealing with the TIR procedure. The distribution of the directory is restricted to Customs authorities, national associations and the TIR Department of the IRU. The directory may be obtained from the ECE secretariat (in a hard copy version) or may be consulted via the Internet on the web site of the ECE Transport Division ([www.unece.org/trans/main](http://www.unece.org/trans/main)). The required password for access to the relevant web site may be obtained from the secretariat.

A hard copy update of the directory will be available at the session.

**(x) International register on Customs sealing devices**

The international register on Customs sealing devices used for the TIR regime, maintained by the secretariat in English, French and Russian, covers at present more than 40 countries utilizing the TIR procedure.

At its ninetieth session, the Working Party stressed that the register must be kept up to date on a permanent basis; otherwise its use could be counterproductive. It therefore requested all Customs authorities to inform the secretariat immediately in case of modifications in the approved sealing devices. Copies or excerpts of the register may be obtained from the secretariat by Customs authorities concerned (TRANS/WP.30/180, para. 46).

Updates of the register will be available at the session for restricted use by Customs authorities. Copies or excerpts of the register may be obtained from the secretariat by Customs authorities .

(xi) Other matters

The Working Party may wish to consider any other issues and difficulties in the application of the Convention faced by Customs authorities, national associations, the international insurers or the IRU.

5. **CUSTOMS CONVENTIONS ON THE TEMPORARY IMPORTATION OF PRIVATE ROAD VEHICLES (1954) AND COMMERCIAL ROAD VEHICLES (1956)**

(a) Initiation of the amendment procedure for article 13, new paragraph 4 of the 1954 Convention

The Working Party may wish to be informed by the representative of Italy on progress made in initiating the formal amendment procedures required to insert the newly approved paragraph 4 to article 13 into the 1954 Convention as had been agreed upon at the eighty-fourth session of the Working Party in June 1986 (TRANS/WP.30/178, para. 85; TRANS/WP.30/168, para. 72).

(b) Status of resolution No. 48

On 28 April 1994, the Executive Secretary of the ECE had transmitted letters to all Contracting Parties to the 1954 and 1956 Conventions, in accordance with resolution No. 48 on the acceptance of "carnets de passages en douane" and of CPD carnets, adopted by the Working Party on 2 July 1993 (TRANS/WP.30/151, annex 4).

As of 10 August 1998 the following Contracting Parties have informed the secretariat of their acceptance of resolution No. 48: Belgium; Bosnia-Herzegovina; Cyprus; Denmark; France; Germany; Iran (Islamic Republic of); Italy; Norway; Spain; Switzerland; United

**Kingdom; European Community (i.e. no new additions since 15 August 1996).**

**The Working Party may wish to be informed of further developments with regard to the status of resolution No. 48 and countries having accepted it. The Working Party may also consider further action to be undertaken on this subject given the low rate of acceptance of this resolution.**

**(c) Difficulties in the application of the 1954 Convention in Australia**

**At its eighty-ninth session, the Working Party was informed by the representative of the AIT/FIA of difficulties in the interpretation of the Convention in Australia (TRANS/WP.30/1997/4). In particular the term "private use" as defined in the Convention seemed to leave considerable scope for interpretation, particularly in the case of rally vehicles, vehicles on loan for business or vehicles imported temporarily by foreign workers (TRANS/WP.30/178, paras. 89-90).**

**As requested, the Working Party may wish to hear reports of Customs representatives on national practices in the application of the Convention in this respect and may take account of the views expressed by the World Customs Organization (WCO) on this matter (TRANS/WP.30/1998/3).**

**6. CUSTOMS CONVENTION CONCERNING SPARE PARTS USED FOR  
REPAIRING  
EUROP WAGONS**

**Revision of the Convention**

**At its eighty-seventh session, the Working Party had considered briefly a document transmitted by the International Union of Railways (UIC) containing a first draft of a new Convention which is aimed at extending the facilitation measures of the present convention to the 19 "RIV" member countries (TRANS/WP.30/R.169). The Working Party also considered to what extent the provisions of the newly proposed convention would already be covered by other existing conventions, such as the Istanbul Convention (TRANS/WP.30/174, paras. 57-59).**

**Having taken note of ongoing consultations between the UIC and the WCO on this matter at its eighty-ninth session (TRANS/WP.30/178, paras. 91-93), the Working Party may wish to be informed of the results achieved so far.**

**7. CONVENTION ON CUSTOMS TREATMENT OF POOL CONTAINERS USED IN INTERNATIONAL TRANSPORT**

**The "Container Pool" Convention had come into force on 17 January 1998 and has at present seven Contracting Parties: Austria, Cuba, Italy, Malta, Sweden, Uzbekistan, European Community.**

**The text of the "Pool" Convention is contained in document ECE/TRANS/106.**

**An introduction to the Convention and to the new concept of "equivalent compensation" contained therein had been issued by the secretariat already in 1994 and had been distributed at previous sessions of the Working Party.**

**The Working Party may wish to consider any follow-up action that may be required to implement the Convention, particularly as regards the preparation of "model pool agreements" (TRANS/WP.30/162, para. 77; TRANS/WP.30/159, para. 80; TRANS/WP.30/157, paras. 72-78).**

#### **8. PREVENTION OF THE ABUSE OF CUSTOMS TRANSIT SYSTEMS BY SMUGGLERS**

**Having discussed at earlier sessions a number of drug seizures involving TIR vehicles, the Working Party felt that it should be informed of any special devices and facilities used by smugglers abusing the TIR transit system. The Working Party invited all Contracting Parties to the TIR Convention, 1975, and the World Customs Organization (WCO) to transmit all relevant information on such cases so that it could take the necessary steps, falling within its competence and mandate, to prevent such occurrences (TRANS/WP.30/127, paras. 55-57).**

**As in the past, the Working Party may wish to exchange views and report on experiences on this subject, if any, on a confidential basis.**

#### **9. FOLLOW-UP TO THE JOINT SESSION ON BORDER CROSSING PROBLEMS WITH THE ECE WORKING PARTY ON ROAD TRANSPORT (SC.1)**

**The agenda of the joint meeting scheduled to be held on 21 October 1998 is contained in document TRANS/WP.30/181/Add.1.**

**The joint meeting is expected to consider non-physical border crossing problems in Europe based on documentation provided by Finland/Germany (TRANS/WP.30/1998/9), the International Road Federation (IRF) (TRANS/WP.30/1998/10) and the IRU (TRANS/WP.30/1998/12) and may wish to develop concrete recommendations for follow-up and a division of labour between the two ECE Working Parties in order to effectively implement these recommendations.**

**The Working Party may consider the result of this first joint meeting and may decide on any follow-up activities for inclusion into its programme of work.**

## **10. PROGRAMME OF WORK**

**The Working Party may wish to consider its new programme of work for the years 1999 to 2003.**

**On the basis of its present programme of work as reproduced in the annex to this agenda, and in accordance with relevant decisions of the Inland Transport Committee and the Commission taken during their respective sessions in 1998, the Working Party may wish to review its future activities taking account that (a) the output to be expected within the next two years (or earlier) of each work element should be indicated, (b) work elements with a permanent character and those to be executed within a limited time period should be listed separately and (c) the programme of work should be streamlined as much as possible and the broad objectives and the measures to be carried out should be clearly stated.**

## **11. OTHER BUSINESS**

### **(a) Dates of next sessions**

**The Working Party may wish to decide on the dates for its next sessions.**

**In this context, the Working Party may recall that, at its eighty-ninth session, it had proposed to convene in 1999 three meetings per year in order to allow for the adequate administration, interpretation and the preparation of amendments to the more than 10 active Customs and transport facilitation conventions for which it was responsible (TRANS/WP.30/178, para. 100).**

**Pending a final decision by the Inland Transport Committee, at its January 1999 session, the secretariat has already scheduled the ninety-second session of the Working Party to be held from 22 to 26 February 1999 in conjunction with the twenty-sixth session of the TIR Administrative Committee and, possibly, the second session of the Administrative Committee for the "Harmonization Convention" (25 and 26 February 1999).**

### **(b) Restriction on the distribution of documents**

**The Working Party should decide whether there shall be any restrictions with respect to the distribution of documents issued in connection with its current session.**



## **12. ADOPTION OF THE REPORT**

**In accordance with established practice, the Working Party will adopt the report on its ninety-first session on the basis of the draft prepared by the secretariat. Given the present resource restrictions with regard to translation facilities, parts of the final report, particularly those relating to the discussions held on Thursday afternoon, 22 October 1998, may not be available for adoption in all ECE working languages.**

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ANNEX

Programme of work for 1999 to 2003

**PROGRAMME ACTIVITY 02.9: CUSTOMS QUESTIONS AFFECTING TRANSPORT**

**Harmonization and simplification of requirements for border crossing procedures concerning modes of inland transport**

**Priority: 1**

**Description:**

- (a) Preparation, review, implementation and, where appropriate, modification of international legal instruments.
- (b) Simplification of administrative formalities, documents and procedures.

**Work to be undertaken:** The Working Party on Customs Questions affecting Transport will pursue the following activities:

- (a) Revision of the TIR Convention, 1975 with a view to stabilizing the TIR Customs transit procedure. (1998)
- (b) Study of specific legal and administrative measures to combat fiscal fraud in the framework of the TIR Convention. (Continuing)
- (c) Study of the possible extension of the TIR Convention to other regions, particularly relating to legal and administrative aspects. (Continuing)
- (d) Periodic review of existing Customs and facilitation conventions in order to keep them in line with modern transport requirements. (Continuing)
- (e) Study to facilitate formalities for container pools in international transport and follow-up activities within the framework of the new Convention on Customs Treatment of Pool Containers Used in International Transport. (Continuing)
- (f) Study to facilitate railway transit traffic on the basis of the CIM and the SMGS Consignment Notes, including the preparation of a new Customs transit regime allowing the use of the CIM and the SMGS consignment notes. (1999)

- (g) Analysis of difficulties encountered relating to border crossing formalities with a view to devising administrative procedures eliminating such difficulties, and review of related activities of international organizations concerned. (Continuing)**
  - (h) Study of Customs questions with a view to simplification of Customs formalities and documents in the field of transport, in particular taking account of the possibility of electronic data interchange solutions, including UN/EDIFACT messages. (Continuing)**
  - (i) Study of ways and means of preventing abuse of the advantages resulting from the introduction of simplified Customs procedures, including periodic review of implementation of resolution No. 220 (prevention of the abuse of Customs transit systems by drug smugglers). (Continuing)**
  - (j) Study of harmonization of conditions for exercising Customs and other controls undertaken at frontiers (health, phytosanitary, veterinary and quality controls, application of standards, public safety controls, etc.), including promotion of the implementation and extension of the scope of the International Convention on the Harmonization of Frontier Controls of Goods of 1982. (Continuing)**
  - (k) Active cooperation and setting-up of mechanisms for the regular exchange of information with other Governmental and non-governmental organizations to combat fiscal fraud and smuggling and to harmonize international Customs transit and other transport facilitation procedures. (Continuing)**
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