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ECONOMIC COMMISSION FOR EUROPE

INLAND TRANSPORT COMMITTEE

Working Party on Customs Questions

affecting Transport

(One-hundred-and-second session, 22-25 October 2002,
agenda item 7)

PREVENTION OF THE ABUSE OF CUSTOMS TRANSIT SYSTEMS BY SMUGGLERS

False and forged certificates of approval

Transmitted by the Government of the United Kingdom

Note: The secretariat reproduces below a communication transmitted by the Government of the United Kingdom.

The Working Party may, on the basis of the information provided by the Government of the United Kingdom, wish to consider the following questions:

- (a) Have other Contracting Parties any experience with false/forged certificates of approval?
- (b) Have other Contracting Parties any intelligence as to why false/forged certificates of approval are used?
- (c) What do Contracting Parties do when they detect a false certificate of approval?
- (d) Have some Contracting Parties introduced measures to reduce the possibilities for forgery/alteration of certificates of approval?
- (e) Should the Working Party consider measures to be introduced to reduce the risk of fraud/forgery of certificates of approval?

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A. INTRODUCTION

1. The UK Customs authority has recently noted an increase in the number of false and forged vehicle approval certificates. This document has been produced to draw attention to the matter and to alert other Contracting Parties to this type of irregularity/fraud.

B. BACKGROUND

2. In the autumn of 1999, the UK Customs authority mounted a national exercise to identify the extent of the problem. A total of 1274 approval certificates were inspected of which 295 were certificates issued in the UK. Of these 71 (24%) caused some concerns and were further investigated for various reasons. The results of the further investigation revealed that:

- i. 25 (8%) were false certificates;
- ii. 5 (2%) certificates had been altered (the details were different on the carnet, vehicle and the certificate).

3. In addition, the Irish Revenue Commissioners confirmed that all 5 of the Irish Approval Certificates inspected during this exercise were false (the date stamps used to authenticate the certificates had not been in use since 1993) and some Romanian approval certificates were also identified as false.

(a) Why are false certificates used?

4. The UK has been unable to determine why these certificates are being forged or falsified. However, it is reasonable to surmise that the reason is that hauliers do not want their vehicles re-inspected for the biennial vehicle approval test. One reason might be that if the vehicles are old then there is more chance of the vehicle failing the test and so a false approval certificate could bypass the cost for any repair work. But there may be more sinister reasons.

5. The UK suspects that some hauliers use false or forged certificates in order to facilitate some illegal act, either the movement of prohibited goods, the trafficking of illegal immigrants or simply to evade the payment of Customs duties etc. A company using a false or forged certificate can make certain modifications to the vehicle in the knowledge that the vehicle testing authorities would not detect it. False compartments could be placed between the inner and outer shell of the vehicle, and or false a ceiling or floor could be built into the vehicle.

6. To date “anti-smuggling” checks conducted by the UK on the vehicles found to be using false or forged certificates have not yet revealed any modifications nor has any prohibited or smuggled goods been discovered. However, the UK has built up intelligence data on companies found to be using forged/false certificates which suggests that certain companies could be using a forged certificate to disguise their smuggling activities. It is unfortunate that as yet the UK has not been able to detect any smuggling operations in order to confirm its suspicions.

C. THE PRESENT SITUATION

7. Since the 1999 national exercise, the UK Customs authority has carried out several local exercises. On each occasion many false certificates have been found. Recently 3 more false Irish approval certificates were found. These certificates had the same appearance as the 5 found during the 1999 exercise. It is known that the use of false or forged certificates is not unique to the UK and it is suspected that other Contracting Parties will have experienced the problem. The UK believes it would be helpful if the Working Party could discuss the issue.
