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INLAND TRANSPORT COMMITTEE

Working Party on Customs Questions

affecting Transport

(22-25 October 2002)

PROVISIONAL AGENDA FOR THE ONE-HUNDRED-AND-SECOND SESSION

**to be held at the Palais des Nations, Geneva,
starting at 10.00 hours on Tuesday, 22 October 2002 ^{*/}**

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|----|--|---------------------|
| 1. | Adoption of the agenda | TRANS/WP.30/203 |
| 2. | Activities of UNECE bodies and other United Nations organizations of interest to the Working Party | TRANS/WP.30/2002/26 |

^{*/} 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 UNECE Transport Division (Fax: +41-22-917-0039; e-mail: Poul.Hansen@unece.org). Documents may also be downloaded from the Internet web site of the UNECE Transport Division (<http://border.unece.org>). During the meeting, documents may be obtained from the UNOG Documents Distribution Section (Room C.111, 1st floor, Palais des Nations).

In accordance with the accreditation procedures applicable for all meetings held at the Palais des Nations, delegates are requested to fill-in the attached registration form (also available from the web site of the UNECE (www.unece.org)) and to transmit the duly filled-in form at the latest one week before the session to the UNECE Transport Division, either by fax (+41-22-917-0039) or by e-mail (Poul.Hansen@unece.org). In Geneva, prior to the session, delegates are requested to present themselves at the Pass and Identification Unit of the UNOG Security and Safety Section, located at Villa Les Feuillantines, 13 Avenue de la Paix (see attached map), for issuance of an identification badge. In case of difficulties, please phone the UNECE secretariat (Int. 72453).

3. Activities of other organizations of interest to the Working Party
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 - (a) Status of the Convention ECE/TRANS/55
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 - (b) Preparation of a new Annex on efficient border crossing procedures C.N.672.2002.TREATIES-1
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6. Customs Convention on the International Transport of Goods Under Cover of TIR Carnets (TIR Convention, 1975)
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 - (a) Status of the Convention TRANS/WP.30/AC.2/66,
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- (b) Revision of the Convention
- (i) Implementation of Phase II of the TIR revision process and examples of best practices ECE/TRANS/17/Amends.21-22
 - (ii) Preparation of Phase III of the TIR revision process
 - TRANS/WP.30/2002/20
 - TRANS/WP.30/2002/17
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 - Informal document No.12 (2001)
 - Informal document No.8 (2000)
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- (c) Application of the Convention (<http://tir.unece.org>)
- (i) Settlement of claims for payments TRANS/WP.30/202
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 - (ii) Re-introduction of the guarantee for sensitive and other excluded goods TRANS/WP.30/202
TRANS/WP.30/200
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 - (iii) Control system for TIR Carnets - IRU SafeTIR
 - (iv) Measures to reduce the number of lost, stolen and falsified TIR Carnets TRANS/WP.30/202
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| (v) | Guidance on Customs control and trade facilitation | TRANS/WP.30/2002/21
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| (vi) | Amendment proposals relating to technical provisions | TRANS/WP.30/2002/27
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| (x) | TIR Handbook | UNECE document
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| (xi) | Other matters | |
| 7. | Prevention of the abuse of Customs transit systems by smugglers | TRANS/WP.30/127
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| 8. | Programme of work for 2003 to 2007 | TRANS/WP.30/203, annex |
| 9. | Other business | |
| (a) | Dates of the next sessions | |
| (b) | Restriction on the distribution of documents | |
| 10. | Adoption of the report | |

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EXPLANATORY NOTES

The secretariat proposes the following schedule of the work:

Tuesday 22 October 2002:	WP.30 agenda items 1 - 6
Wednesday 23 October 2002:	WP.30 agenda items 6 - 9
Thursday 24 October 2002	TIR Administrative Committee (AC.2)
Friday, 25 October 2002:	Adoption of the reports

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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.30/203).

2. ACTIVITIES OF UNECE BODIES AND OTHER UNITED NATIONS ORGANIZATIONS OF INTEREST TO THE WORKING PARTY

The Working Party will be informed about the results of relevant sessions of subsidiary bodies of the Inland Transport Committee as they relate to matters of interest to the Working Party and may wish to be informed about recent activities of the United Nations Conference on Trade and Development (UNCTAD).

At its one-hundred-and-first session, the Working Party considered the question of transport and security (Informal document No. 8 (2002)). The Working Party may wish to consider a note, prepared by the secretariat, containing the text of a resolution adopted by the Customs Co-operation Council on "Security and Facilitation of the International Trade Supply Chain" (TRANS/WP.30/2002/26).

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

The Working Party may wish to be informed about recent activities by the World Customs Organization (WCO), the European Conference of Ministers of Transport (ECMT), the European Commission (DG TAXUD) as well as by other governmental and non-governmental organizations as they relate to matters of interest to the Working Party.

4. INTERNATIONAL CONVENTION ON THE HARMONIZATION OF FRONTIER CONTROLS OF GOODS, 1982 ("Harmonization Convention")

(a) Status of the Convention

The Working Party may wish to take note that Cyprus has acceded to the Convention with effect from 1 October 2002 (Depositary Notification C.N.672.202.TREATIES-1). With the accession of Cyprus the Convention will have forty-two Contracting Parties.

(b) Preparation of a new Annex on efficient border crossing procedures

The Working Party may wish to recall that the Administrative Committee for the "Harmonization Convention" at its last session (18 and 20 October 2000) had agreed with the general conclusions of the Working Party on the preparation of a new Annex 8 to the Convention with the objective of addressing all elements important for efficient border crossing procedures in international road transport of goods.

The Working Party, at its ninety-ninth session, considered a consolidated text of a new Annex 8, including provisions on an International Vehicle Weight Certificate as well as an International Technical Inspection Certificate (TRANS/WP.30/2001/16).

At its one-hundredth session, the Working Party noted that, at that stage, reservations were made by some delegations concerning Articles 2, 4 and 5 of the new Annex 8.

At its one-hundred-and first session, the Working Party considered a document transmitted by Transfrigoroute International on the obligations and responsibilities of transport operators undertaking transport of perishable foodstuffs (ATP) (TRANS/WP.30/2002/19) and Informal document No. 16 (2002) transmitted by the European Conference of Ministers of Transport (EMCT) and Informal document No. 17 transmitted by the IRU, both on the question of visas for professional drivers. The Working Party requested the secretariat to conduct consultations with the Contracting Parties of the Convention with the aim of exploring how the remaining problems in adopting the new Annex 8 to the Convention could be resolved and to organize, if necessary, informal expert group meetings to resolve the contentious provisions of the new Annex 8, in particular, concerning visa issue, technical transport provisions and Customs procedures. The consultations should be finalized before the end of the year with a view to preparing a final draft text for a new Annex 8 to the Convention for the forthcoming session of the Administrative Committee of the "Harmonization" Convention. In view of the above, the Contracting Parties to the "Harmonization" Convention, present at the session, had agreed to postpone the next session of the Administrative Committee to February 2003 (TRANS/WP.30/2002, para. 19).

The Working Party may wish to be informed about the status of the consultations with the Contracting Parties of the Convention.

The Working Party may wish to take note of Informal document No. 19 (2002) containing a questionnaire transmitted by the UNECE secretariat to the heads of delegations of the Inland Transport Committee concerning the issue of visas.

5. DRAFT UNECE CONVENTIONS ON INTERNATIONAL CUSTOMS TRANSIT PROCEDURES FOR THE CARRIAGE OF GOODS BY RAIL

The Working Party may wish to recall that, at its ninety-sixth session, it had terminated its activities on the preparation of two draft conventions on international Customs transit procedures for the carriage of goods by rail: one covering the area of the COTIF Convention and one covering the area of the SMGS Agreement. According to its decision (TRANS/WP.30/192, paras. 14-21), the two draft conventions had been transmitted, via diplomatic channels, to the Contracting Parties to the COTIF Convention and to the SMGS Agreement respectively with a view to soliciting their views on the approach taken and on the Customs transit procedures proposed therein (TRANS/WP.30/198, para. 26).

On 11 February and in conjunction with the one-hundredth session of the Working Party, an informal ad hoc Expert Group meeting on Customs Rail Transit based on the SMGS Consignment Note had been organized by the secretariat 2002 to consider the responses transmitted by Contracting Parties. The conclusions of the meeting, contained in document TRANS/WP.30/2002/12, indicate that there is a demand by Governments and industry for a harmonization of Customs transit procedures governing rail transport in the SMGS area. However, the amendment proposals to the draft SMGS Customs rail transit Convention transmitted by Contracting Parties to the SMGS Agreement, as contained in document TRANS/WP.30/2002/10, indicated that there exist a great divergence of views on how and to what extent to facilitate Customs rail transit. The amendments proposed by some Contracting Parties to the SMGS Agreement would result in considerably reduced facilitation measures compared to the provisions of the original draft prepared by the Working Party and the provisions in place for the COTIF Convention in the Common and Community transit system.

At its one-hundred-and-first session, the Working Party considered, as a preliminary facilitation measure, a draft resolution, prepared by the secretariat, recommending the use of the SMGS Consignment as a Customs rail transit declaration by the Contracting Parties to the SMGS Agreement (TRANS/WP.30/2002/16). The Working Party welcomed the draft as an important step in the facilitation of Customs rail transit and had requested the secretariat to carry out consultations with the Contracting Parties of the SMGS Agreement with a view to finalizing and adopting the draft text at the present session (TRANS/WP.30/202, para. 22).

The Working Party may wish to consider and adopt the revised text of the draft resolution contained in document TRANS/WP.30/2002/25. The Working Party may also wish to be informed about the status of developing a draft Convention on International Customs Transit Procedures for the Carriage of Goods by Rail.

6. 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.

A complete list of Contracting Parties to the Convention as well as a list of countries in which TIR operations can be undertaken is annexed to the agenda of the report of the thirty-third session of the TIR Administrative Committee (TRANS/WP.30/AC.2/66, annex 1).

Permanently updated information on the scope of the TIR Convention and on the relevant Depository Notifications is available on the UNECE TIR web site: (<http://tir.unece.org>).

(b) Revision of the Convention

(i) Implementation of Phase II of the TIR revision process and examples of best practices

The complete texts of all amendments adopted under Phase II of the TIR revision process have been published by the secretariat in documents ECE/TRANS/17/Amend.21 and ECE/TRANS/17/Amend.22.

(ii) Preparation of Phase III of the TIR revision process

The Working Party may wish to recall that, at its ninety-sixth session, it had decided to start work on Phase III of the TIR revision process, which would include a study of the following elements (TRANS/WP.30/192, para. 33):

- Revision of the TIR Carnet, including the insertion of additional data elements (ID number, HS code, value of goods, etc.) (TRANS/WP.30/188, para. 31);
- Increase in the number of places for loading and unloading under Customs seal (TRANS/WP.30/186, paras. 42 and 43);
- Possibilities for the reduction of the legally required delays for notification of non-discharge of TIR Carnets (TRANS/WP.30/188, para. 38);

- Use of new technologies in TIR operations also with a view to reducing the delay in notification of non-discharge (TRANS/WP.30/188, para. 31).

At its ninety-seventh session, the Working Party decided to consider also, under Phase III of the TIR revision process, amendment proposals on the definition and voting rights of regional economic integration organizations (TRANS/WP.30/194, para. 43). Following consideration of this subject on the basis of a proposal prepared by the European Commission (TRANS/WP.30/2001/15), the Working Party decided, at its ninety-ninth session, to transmit this proposal to the TIR Administrative Committee (TRANS/WP.30/198, paras. 50-54).

- Revision of the TIR Carnet

The Working Party may wish to recall that, at its ninety-eighth session, it had discussed extensively the usefulness of including additional data elements into the TIR Carnet. The Working Party was of the opinion that additional data elements could be useful in relation to the procedures for recovery of debt and facilitating subsequent Customs procedures (TRANS/WP.30/196, paras. 35-40).

At its one-hundredth session, the Working Party had taken note of the final report of the European Commission sub-group on data (Informal document No. 2 (2002)). The conclusions of the report seemed, at this time, in general not to favour requirements for additional data in the Community and Common transit systems (TRANS/WP.30/200, para. 37).

At its one-hundred-and-first session, the Working Party considered, in this context, a survey conducted by the secretariat on documentary requirements for TIR operations showing that a majority of the Customs authorities which had replied required information in addition to that contained in the TIR Carnet in order to monitor and control TIR operations (TRANS/WP.30/2002/15). As a result, the Working Party had requested the secretariat to prepare proposals for best practices concerning documentary requirements in connection with the TIR procedure (TRANS/WP.30/202, para. 36). The Working Party may wish to be informed by the secretariat about the progress made concerning this question.

The Working Party may also wish to discuss the advantages and disadvantages of revising the TIR Carnet, at this stage, in particular considering the initiatives to computerize the TIR procedure, and whether measures other than a revision of the TIR Carnet could be implemented to provide additional information until computerization of the TIR procedure has been implemented.

- Increase in the number of loading and unloading places

The Working Party, at its one-hundredth session, continued its consideration of document TRANS/WP.30/2001/19 prepared by the secretariat containing proposals for three alternative solutions to increase the number of loading and unloading places (TRANS/WP.30/200, paras. 41-42).

At its one-hundred-and-first session, the Working Party considered document TRANS/WP.30/2002/17, prepared by the secretariat, describing a scenario of up to six places of loading and unloading, including a description of the documentation flow in accordance with national Customs procedures for the administration of partial loading/unloading. The Working Party agreed that there exists a demand from the transport industry to increase the number of loading and unloading places permitted in the TIR Convention. The Working Party also agreed that the task of finding a practical solution for an increase in the number of loading and unloading places, in the short term, should remain with the TIR Executive Board (TIRExB) as entrusted by the TIR Administrative Committee. The Working Party should focus on finding a solution on a longer term basis. The Working Party requested the secretariat, to prepare, for its next session, a document describing, in detail, the implications at both national and international level of a scenario of six Customs offices of loading and unloading and to describe, including an analysis of the legal consequences of increasing the number of loading and unloading places, proposals to amend the Convention (TRANS/WP.30/202, para. 39).

The Working Party may wish to consider a document prepared by the secretariat, including a proposal for an amendment of the Convention (TRANS/WP.30/2002/20).

The Working Party had also requested the IRU to analyze, on the basis of available information, whether there existed a correlation between the number of loading and unloading places and the number of irregularities. The Working Party may wish to be informed by the IRU about the status of this analysis.

- Possibilities for the reduction of the legally required delays for notification of non-discharge of TIR Carnets

The Working Party, at its ninety-ninth session, was of the view that Customs authorities could not accept any reduction in the legally prescribed time-limits for notification of non-discharge as provided in the Convention (TRANS/WP.30/198, para. 62).

- Use of new technologies

The Working Party may wish to take note of the agenda for the second session of the informal ad hoc expert group on conceptual and technical aspects of computerization, which will take place 14 and 15 November 2002 in Prague (ExG/COMP/2002/4).

(c) **Application of the Convention**

The Working Party may wish to note that permanently updated information on the application of the Convention is available on the UNECE TIR web site (<http://tir.unece.org>).

(i) **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.30/202, para. 48).

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. In particular, the Working Party may wish to be informed about the status of the questionnaire sent by the TIRExB to all Customs authorities requesting information about the payment claims in the years 1999 to 2001 (TRANS/WP.30/202, para. 45).

The Working Party may wish to take note of the document transmitted by the Russian Federation (TRANS/WP.30/2002/29) concerning the declaration made by the IRU at the one-hundred-and-first session of the Working Party.

(ii) **Re-introduction of the guarantee for sensitive and other excluded goods**

The Working Party may wish to be informed of progress made by the IRU, in co-operation with the insurers and the European Commission, to re-introduce the guarantee coverage for so-called “sensitive” goods under cover of TIR Carnets for which some guaranteeing associations in countries of the European Community had denounced their insurance contracts.

The Working Party had, on various occasions recalled that the denouncement was not in line with the Convention and that it could have severe repercussions for the correct application of the Convention and had urged the IRU and the international guaranteeing chain to re-

establish full guarantee coverage for these sensitive goods as soon as possible (TRANS/WP.30/202, para. 50; TRANS/WP.30/200, para. 58).

(iii) Control system for TIR Carnets - IRU SafeTIR

The Working Party may also wish to be informed about the activities of the SafeTIR-Taskforce, a joint effort by the TIR secretariat and the IRU to improve the functioning of the IRU operated SafeTIR based on the Recommendations of the TIR Administrative Committee of 20 October 1995 on the introduction of a control system for TIR Carnets.

(iv) Measures to reduce the number of lost, stolen and falsified TIR Carnets

The Working Party may wish to recall that, at its ninety-eighth session, it had been informed that the IRU had been forced to change the supplier of the paper for TIR Carnets as of September 2001 and, as a result, was forced to change one of the security features in the TIR Carnets, as the new paper supplier could not provide these features. At the proposal of the IRU, the TIRExB decided to accept the changes in the lay-out of the TIR Carnet as proposed by the IRU since they do not modify the relevant provisions of the Convention, including the addition of some security features in order to make falsification more difficult (TRANS/WP.30/196, paras. 68 and 69).

At its one-hundred-and-first session, the Working Party had taken note of Informal document No. 11 (2002), prepared by the secretariat, containing information about the introduction of a new version of the TIR Carnet, which, following entry into force of Phase II of the TIR revision process, incorporates the new terminology introduced into the Convention (TRANS/WP.30/202, para.53).

The Working Party may wish to exchange information about the experiences concerning the introduction of the new TIR Carnet version (“blue” TIR Carnet).

(v) Guidance on Customs control and trade facilitation

The Working Party, at its one-hundredth session, had taken note of a proposal made by the European Community concerning an amendment proposal to the Convention aimed at providing a clear definition of the terms “facilitation and Customs controls” in the framework of the Convention (TRANS/WP.30/2002/1). The Working Party had been informed by Mr. Olszewski, Chairman of the TIRExB, that the TIRExB had prepared a draft comment to the Convention covering the same issue (TRANS/WP.30/200, paras. 74-75).

The Working Party, at its one-hundred-and-first session considered a proposal, prepared by the secretariat, to amend the comment to Article 47 of the Convention (TRANS/WP.30/2002/13). The Working Party welcomed the general approach of the newly proposed comment, but felt that a precision of the wording would be necessary (TRANS/WP.30/202, para. 56).

The Working Party may wish to consider document number TRANS/WP.30/2002/21, prepared by the secretariat, containing a revised proposal for an amendment to the comment to Article 47 of the Convention.

(vi) Amendment proposals relating to technical provisions

The Working Party may wish to recall the proposal to amend the Convention transmitted by the Liaison Committee of the Body and Trailer Building Industry (CLCCR) as contained in document TRANS/WP.30/2002/3 which would provide for a clearer description of the design of the TIR plate (amendment to Annex 5 of the Convention).

At its one-hundredth session, the Working Party agreed that it would be useful, in order to strengthen the profile of the TIR procedure, to modify the comment to Annex 5 of the Convention concerning the layout of the TIR plate (TRANS/WP.30/200, para. 80).

At its one-hundred-and-first session, the Working Party considered a proposal, prepared by the secretariat, containing three alternative proposals for the layout of the TIR plate (TRANS/WP.30/200/14). The Working Party found that the proposals might complicate production procedures and requested the secretariat to prepare a revised proposal (TRANS/WP.30/202, para. 58) contained in document TRANS/WP.30/2002/22, which the Working Party may wish to consider.

The Working Party may also wish to consider information transmitted by a private company on the development of a TIR cable with integrated fibre optic offering increased security against tampering with the TIR cable and unauthorized access to the load compartment (TRANS/WP.30/2002/27).

(vii) National control measures in the Russian Federation

At its ninety-ninth session, the Working Party was informed by the representatives of the European Community and Finland of problems caused by the introduction of new transit regulations for certain goods in the Russian Federation. The representative of the Russian Federation informed the Working Party about the general purpose of the new regulations.

The Working Party requested the TIRExB to consider whether the new regulations were in line with the provisions of the TIR Convention (TRANS/WP.30/198, paras. 101-103).

The Working Party, at its one-hundredth session, was informed that the TIRExB had informed the Russian Customs authorities that it was of the view that the special measures taken by the Russian Federation in this regard were not in line with the provisions and spirit of the TIR Convention (TRANS/WP.30/200, para. 92). At its one-hundred-and-first session, the Working Party was informed by the Chairman of the TIRExB that the State Customs Committee (SCC) of the Russian Federation had informed the TIRExB that the views of the TIRExB would be duly considered, but that the measures would remain in place for the time being (TRANS/WP.30/200, paras. 92-93).

The Working Party had also been informed by the Chairman of the TIRExB, that it had considered Decree No. 1132 of the SCC of the Russian Federation providing importers of specific sensitive goods (mainly electronics) with the possibility for a “preliminary” Customs declaration together with an advance payment of Customs duties and taxes before the arrival of these goods under the TIR procedure at the Russian border. The TIRExB was of the view that this measure taken by the Russian Federation was not in line with the provisions and spirit of the TIR Convention as it would require additional guarantees in addition to the one provided under the TIR procedure. The Working Party will be informed of any new developments concerning this question.

(viii) Heavy or bulky goods

At its one-hundredth session, the Working Party considered document TRANS/WP.30/2002/8 containing a proposal by the secretariat and decided to delete the last two sentences of the comment on the application of Article 3. It also decided to launch a more general discussion on the procedures of transport of heavy and bulky goods at one of its future sessions (TRANS/WP.30/200, paras. 69-73).

The Working Party may wish to consider document TRANS/WP.30/2002/23, prepared by the secretariat, on the number of TIR Carnets required for the transport of mixed cargo containing heavy and bulky goods.

(ix) Inclusion of place and number of seals in the certificate of approval

The Working Party may wish to recall that, at its ninety-ninth session, the representative of the Netherlands had requested the Working Party to consider the question of including information on the exact placement and number of seals on the load compartment in the Model

Certificate of Approval of a Road Vehicle, contained in Annex 4 of the Convention (TRANS/WP.30/198, para. 108).

At its one-hundredth session, the Working Party had noted a comment to Explanatory Note 2.2.1 (b) to Annex 2 of the Convention on the number of Customs seals which recommends that the number of seals should be indicated in the Certificate of Approval under item 5 and that, when appropriate, a sketch should be attached to the Certificate of Approval. The Working Party requested the secretariat to examine how to provide for mandatory rules in the Convention concerning this issue and report to the Working Party at one of its future sessions (TRANS/WP.30/200, paras. 89-90).

The Working Party may wish to consider document TRANS/WP.24/2002/24, prepared by the secretariat, containing a proposal for amendment of Explanatory Note 2.2.1 (b) to Annex 2 of the Convention on the mandatory inclusion of information in the Certificate of Approval of a Road Vehicle on the exact placement and number of seals on the load compartment.

(x) TIR Handbook

The TIR Handbook contains the latest amendments to the Convention as well as all relevant comments adopted by the UNECE Working Party (WP.30) and the Administrative Committee. The TIR Handbook can be viewed and downloaded from the UNECE TIR web site in various languages (<http://tir.unece.org>). Updated hard-copy versions of the TIR Handbook are available in Chinese, English, French, German and Russian. A limited number of such copies may be obtained free of charge from the secretariat.

(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.

The Working Party may wish to be informed about the organization of a regional TIR seminar in South-Western China in September 2002 and a regional TIR Seminar for the Baltic States in Riga (Latvia) in October 2002.

At the one-hundred-and-first session of the Working Party, the IRU requested that the UNECE register on Customs Sealing Devices and Customs Stamps used under the TIR Convention could also be made available to the IRU and its guaranteeing associations. In order to be able to take a decision, the Working Party may wish to be informed by the IRU about the background for this request.

7. 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.

The Working Party may wish to take note of a presentation by the United Kingdom Customs authorities on forged Certificates of Approval of a Road Vehicle (TRANS/WP.30/2002/28).

8. PROGRAMME OF WORK FOR 2003 TO 2007

The Working Party may wish to consider its programme of work covering the years 2003 to 2007. On the basis of its present programme of work (2002-2006) as reproduced in the annex to this agenda, and in accordance with the relevant decisions of the Inland Transport Committee and the Commission, the Working Party may wish to review its future activities taking into 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.

9. OTHER BUSINESS

(a) Dates of the next sessions

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

The secretariat has already scheduled the one-hundred-and-third session of the Working Party to be held in the week from 3 to 7 February 2003, in conjunction with the thirty-fourth session of the TIR Administrative Committee and, possibly the fifth session of the Administrative Committee for the International Convention on the Harmonization of Frontier Controls of Goods.

The one-hundred-and-fourth session of the Working Party is tentatively scheduled to be held during the week of 16 to 20 June 2003.

(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.

10. ADOPTION OF THE REPORT

In accordance with established practice, the Working Party will adopt the report on its one-hundred-and-second session on the basis of a draft prepared by the secretariat. Given the present resource restrictions with regard to translation facilities, parts of the final report may not be available at the session for adoption in all working languages.

Annex

Programme of work for the years 2003-2007

PROGRAMME ACTIVITY 02.10: 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:

CONTINUING ACTIVITIES

- (a) Study of specific legal and other measures to combat fiscal fraud resulting from simplified Customs and other border crossing procedures, such as the TIR regime, including periodic review of the status of implementation of resolution No. 220 (prevention of the abuse of Customs transit systems by drug smugglers). Setting-up of mechanisms and administrative procedures for the regular exchange of information with other Governmental and non-governmental organizations to combat such fraud.

Priority: 2

Output expected in 2002:

Preparation of adequate instruments and measures to improve international cooperation among Contracting Parties to the TIR Convention, 1975 and concerned national and international organizations to prevent fraud.

Activities towards implementation of the Recommendation adopted by the TIR Administrative Committee on 20 October 1995 on an international EDI control system for TIR Carnets.

Exchange of intelligence among Customs authorities of Contracting Parties to relevant ECE Conventions on border crossing facilitation on abuses with a view to identifying measures to combat such occurrences.

- (b) Study of the possible extension of relevant ECE conventions on border crossing facilitation to other regions, particularly relating to legal and administrative aspects.

Priority: 3

Output expected in 2002:

Preparation of regional and/or national workshops, possibly in cooperation with ESCAP and ESCWA, on the implementation of relevant ECE Conventions on border crossing facilitation in Asia and the Middle East.

- (c) Periodic review of relevant ECE conventions on border crossing facilitation in order to ensure their coherence with other international or sub-regional treaties and to keep them in line with modern transport and border control requirements. Priority: 2

Output expected in 2002:

Analysis of the application of the following ECE conventions on border crossing facilitation: TIR Convention 1975; Customs Conventions on the Temporary Importation of Private (1954) and Commercial (1956) Road Vehicles; Customs Convention Concerning Spare Parts Used for the Repair of EUROPE Wagons; and Convention on Customs Treatment of Pool Containers Used in International Transport.

- (d) Study to facilitate formalities for container pools in international transport and follow-up activities within the framework of the Convention on Customs Treatment of Pool Containers Used in International Transport.

Priority: 2

Output expected in 2002:

Preparation and negotiation of two model container pool agreements providing guidance to the transport industry and the Contracting Parties on the implementation of the provisions of the "Customs Container Pool Convention" covering international rail and international maritime transport.

- (e) Analysis of difficulties encountered relating to border crossing formalities with a view to devising administrative procedures eliminating such difficulties. The analysis will cover health, phytosanitary, veterinary and quality controls, application of standards, public safety controls, etc., including the promotion of the implementation and extension of the scope of the International Convention on the Harmonization of Frontier Controls of Goods of 1982 (Harmonization Convention). Priority: 1

Output expected in 2002:

Study of the possibilities to prepare and negotiate a new annex to the "Harmonization Convention" on road transport, including possibly an international lorry weight certificate, in close cooperation with the Working Party on Road Transport.

Study of concrete measures facilitating border crossing procedures for railway transport in cooperation with the Working Party on Rail Transport.

- (f) 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. Priority: 2

Output expected in 2002:

Analysis of the impact on the TIR regime of the New Customs Transit System (NCTS) to be applied in the countries of the Common Transit System (European Community, EFTA and Visegrad countries) and coordination of work with the relevant bodies within the European Community on this subject.

ACTIVITIES OF A LIMITED DURATION

- (g) Revision of the TIR Convention, 1975 with a view to stabilizing the TIR Customs transit procedure. Priority: 1

Output expected in 2002:

Continuation of work on phase III of the TIR revision procedure, focusing on the revision of the TIR Carnet and on provisions for a modernized, possibly EDI-based Customs administration and control system.

- (h) 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 as a Customs document.

Priority: 2

Output expected in 2002:

Preparation of a draft Customs transit convention covering international rail transport in all COTIF and SMGS member States. (2002)



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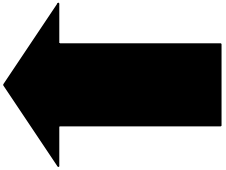
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