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## Economic Commission for Europe

### Inland Transport Committee

#### Working Party on Customs Questions affecting Transport

##### 134th session

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Item 5 (b) (ii) of the provisional agenda

##### **International Convention on the Harmonization of**

**Frontier Controls of Goods, 1982 (“Harmonization Convention”) –**

**Annex 8 on road transport:**

**Outcome of the 2012 UNECE survey**

### Outcome of the 2012 UNECE survey

#### Note by the secretariat

#### I. Background

1. On 20 May 2008, Annex 8 to the Harmonization Convention came into force. According to Article 7 "Reporting mechanism" of the Annex, the Executive Secretary of the Economic Commission for Europe of the United Nations (UNECE) shall carry out, every second year, a survey among Contracting Parties on progress made to improve border crossing procedures in their countries.

2. The first survey was conducted in 2009–2010 and its final results were published in 2011 (ECE/TRANS/WP.30/2011/1). In June 2012, the Working Party was informed about the activities of the secretariat to prepare the second survey whose content was quite similar to the first one (Informal document No. 10 (2012); ECE/TRANS/WP.30/262, para. 15). In September 2012, the Executive Secretary of UNECE distributed to the Ministers of Foreign Affairs of the Contracting Parties a communication which distributed a questionnaire to monitor the progress in implementing Annex 8 at the national level. The deadline for replies was set on 1 December 2012, but the secretariat pointed out that it would process replies received even after this date, provided that countries warned the secretariat in advance that they could not meet the deadline (ECE/TRANS/WP.30/264, para. 13).

3. At its 133rd session, WP.30 was informed about the current status of replies to the UNECE questionnaire on monitoring the progress in implementing Annex 8 on road transport at the national level. The Working Party urged all Contracting Parties that had not

yet responded to the survey to do so as soon as possible (ECE/TRANS/WP.30/266, para. 14).

## II. Replies

4. The following 18 countries have replied to the questionnaire: Austria, Azerbaijan, Belarus, Czech Republic, Denmark, Finland, France, Greece, Kazakhstan, Netherlands (the), Poland, Republic of Moldova, Romania, Russian Federation, Serbia, Sweden, Switzerland and Turkey. Most replies were prepared by the national Customs administrations and transmitted through the Permanent Missions of those countries in Geneva. Some replies were prepared by the respective Ministries of Transport. For two countries, two replies (one from Customs, one from the Ministry of Transport) were received. Croatia and Norway have notified the secretariat of late submission; however, at the time of the document submission deadline no replies were received.

## III. Results of the survey

5. Statistics of the answers to specific questions is given below.

**Question 1.** Please provide information regarding the official publication of Annex 8 in your country.

	It has been published on _____ (date of publication)
	It is scheduled to be published on _____ (expected date of publication)
	It has neither been published nor scheduled to be published
	Other (please specify) _____

The vast majority of respondents indicated that they had already published or had scheduled the publication of Annex 8. A few countries indicated their intention to publish the Annex; three countries provided no information. In this context, it should be pointed out that, regardless of domestic approval/publication procedures, Annex 8 became legally binding for all Contracting Parties as of 20 May 2008.

**Question 2.** Has your country taken measures to facilitate the granting of visas for professional drivers in accordance with national best practice for all visa applicants, national immigration rules and/or international commitments?

	Yes. Please briefly describe these measures: _____
	No. Please briefly explain the reason: _____

Several countries replied that the visa facilitation process was in accordance with bilateral agreements on mutual trips of citizens.

Some respondents indicated that the visa procedure was being carried out completely in the framework of the "reciprocity" principle and necessary measures were taken for facilitating visa procedure for professional drivers.

Countries which are members of the Schengen agreement pointed out that they grant visas in line with the Schengen agreement.

One country replied that the procedure for issuing visas had already been accelerated for all visa applicants (on any basis), verification period was reduced to 5 to 7 working days by introducing visa information system, so it was not necessary to accelerate or facilitate the issuance of visas for specific categories of persons. Another country informed that it had established an online visa service.

One respondent indicated that it did not have, as a European Union (EU) member State, an external border with third countries; consequently there was no practical application of the measures.

One country had no information to provide and one respondent replied that negotiations on the signing of an agreement on the liberalization of the visa regime with EU were underway.

**Question 3.** *Does your country regularly exchange information with other Contracting Parties on best practices with regard to the facilitation of visa procedures for professional drivers?*

<input type="checkbox"/>	Yes
<input type="checkbox"/>	No

Any additional comments: \_\_\_\_\_

Most of respondents replied 'Yes' to this question.

**Question 4.** *How does your country regularly inform all parties involved in international transport operations:*

- (a) *on border control requirements for international road transport operations in force?*
- (b) *on border control requirements for international road transport operations planned?*
- (c) *on the actual situation at borders?*

The respondents inform all parties involved in international transport operations by means such as:

- through the European Commission;
- via websites;
- at bilateral and multilateral meetings between authorities as well as between authorities, trade associations and private companies;
- through mass media;
- by publishing official instructions in legal journals;
- by publishing announcements at border crossings;
- by exchange of correspondence, telephone calls;
- through seminars, workshops and trainings.

**Question 5.** *Which control procedures have been transferred to the places of departure and destination of the goods transported by road so as to alleviate congestion at the border crossing points?*

	<i>None;</i>
	<i>Medico-sanitary inspection;</i>
	<i>Veterinary inspection;</i>
	<i>Phytosanitary inspection;</i>
	<i>Controls of compliance with technical standards;</i>
	<i>Quality controls;</i>
	<i>Vehicle inspections;</i>
	<i>Weighing of vehicles;</i>
	<i>Other (please specify) _____</i>

*Any additional comments:* \_\_\_\_\_

The numbers of respondents that have transferred the relevant controls to inland offices are given in the table below.

Medico-sanitary inspection	5
Veterinary inspection	9
Phytosanitary inspection	9
Controls of compliance with technical standards	8
Quality controls	7
Vehicle inspections	6
Weighing of vehicles	7
None	3

One country replied that it carried out control procedures related to TIR regime. One respondent also indicated that its country did not have, as an EU member State, an external border with third countries; consequently there was no practical application. Another country mentioned that the above checks were made at the border Customs office only if the party concerned wished to perform the Customs formalities (taxation of goods, release for consumption, etc.). If this was not the case, the Customs formalities were carried out at an interior Customs Office. In addition, technical standards and quality controls were outside the Customs competence of this country.

**Question 6.** *Which measures have been undertaken at the border crossing points in your country in order to give priority to urgent consignments, e.g. live animals and perishable goods?*

	<i>Waiting times for vehicles transporting such goods have been minimized;</i>
	<i>Required controls are carried out as quickly as possible;</i>
	<i>Refrigerating units of vehicles carrying perishable foodstuffs are allowed to</i>

- operate during the time of crossing the border;
- Cooperation with other Contracting Parties regarding sanitary inspections of such goods.

The replies are summarized in the table below:

Waiting times for vehicles transporting such goods have been minimized	8
Required controls are carried out as quickly as possible	16
Refrigerating units of vehicles carrying perishable foodstuffs are allowed to operate during the time of crossing the border	12
Cooperation with other Contracting Parties regarding sanitary inspections of such goods	6

**Question 7.** *Is your country a Contracting Party to the Agreement Concerning the Adoption of Uniform Conditions for Periodical Technical Inspections of Wheeled Vehicles and the Reciprocal Recognition of such Inspections (1997)?*

- Yes (go to question 9)
- No (go to question 8)

Ten respondents indicated that their country is a Contracting Party to the above Agreement.

**Question 8.** *Does your country accept the International Technical Inspection Certificate as provided for in the above Agreement (also reproduced in Appendix 1 to Annex 8)?*

- Yes
- No

Six countries accept the Certificate and three did not.

**Question 9.** *Is your country a Contracting Party to the Agreement on the International Carriage of Perishable Foodstuffs and the Special Equipment to be used for such Carriage (1970)?*

- Yes
- No

Sixteen respondents indicated that their country is a Contracting Party to the 1970 Agreement.

**Question 10.** *Does your country accept the International Vehicle Weight Certificates (please refer to Appendix 2 to Annex 8) issued in other Contracting Parties?*

- Yes (go to questions 11, 12 and 13)
- No (go to question 14)

Any additional comments: \_\_\_\_\_

Eight countries indicated their acceptance of the International Vehicle Weight Certificate.

One country commented that the form of the certificate issued in accordance with the Agreement on the introduction of an international certificate of weighing trucks in the territory of the Commonwealth of Independent States (CIS), did not correspond with the form established in accordance with Appendix 2 to Annex 8 of the Harmonization Convention. A decision to make changes in the existing CIS Agreement had not yet been made. This country was of the view that it is necessary to develop, in due course, the necessary form and start issuing the International Vehicle Weight Certificate to ensure the implementation of Annex 8 to the Harmonization Convention by CIS countries.

Another respondent commented that vehicle controls for compliance with the applicable provisions on vehicle weights and dimensions were made by the police in accordance with the provisions of European Commission (EC) Directive 96/53 laying down the maximum authorized dimensions in national and international traffic and the maximum authorized weights in international traffic for certain road vehicles within the Community.

In one EU country, the International Vehicle Weight Certificates were accepted, but this did not prohibit another weighing control, as the vehicle could be loaded up between the actual weighing and the moment of control. On the other hand, the Certificate only shows the total load of the vehicle and does not mention the axle load (overload control).<sup>1</sup>

In some countries only weigh vehicles in cases of serious suspicion of exceeding the weight limits determined in traffic law.

One country pointed out that it does not currently accept the Certificate issued by a third State, because it had not received information from other countries – Contracting Parties or EU regarding the acceptance by those countries or EU member States of those certificates. According to the provisions of Annex, it has to designate the “Government authority” which has the competence to deliver and accept those certificates. Within this context, there have not been any requests/applications from legal entities established on the territory of this country for constructing and subsequent authorization of weighing installations and issuance of this kind of certificates.

One country pointed out that accepting this certificate does not comply with the national laws and regulations in force. In addition, Article 5 of Annex 8 of the Convention is not binding. If this were the case, this country would not accept the amendment proposal with Annex 8.

**Question 11.** *Has your country approved weighing stations which are authorized to issue the International Vehicle Weight Certificates?*

<input type="checkbox"/>	Yes
<input type="checkbox"/>	No

*Any additional comments:* \_\_\_\_\_

Four countries have approved weighing stations to issue the Certificates. In one country, they were not formally approved.

<sup>1</sup> The form of the International Vehicle Weight Certificate in Annex 8 does contain boxes for the axle load (comment by the secretariat).

Another country indicated that it did not have approved private weighing stations. The only devices approved by the Legal Metrology were weighing devices used by the supervising authorities.

**Question 12.** *Has your country published a list of all weighing stations authorized to issue the International Vehicle Weight Certificates?*

  


Yes

No

Any additional comments: \_\_\_\_\_

Out of four countries which have approved weighing stations, three have also published their list.

**Question 13.** *Has your country transmitted this list to UNECE?*

  


Yes

No

Any additional comments: \_\_\_\_\_

None of the countries indicated that they had forwarded their listings to UNECE.

**Question 14.** *Which of the following infrastructure requirements for border crossing points open for international goods traffic does your country meet?*

  
  
  
  
  


*Facilities for joint controls with neighbour States (one-stop technology), 24 hours a day;*

*Separation of traffic for different types of traffic on both sides of the border allowing to give preference to vehicles under cover of valid international Customs transit documents or carrying live animals or perishable foodstuffs;*

*Off-lane control areas for random cargo and vehicle checks;*

*Appropriate parking and terminal facilities;*

*Proper hygiene, social and telecommunications facilities for drivers;*

*Adequate facilities for forwarding agents, so that they can offer services to transport operators on a competitive basis.*

Any additional comments: \_\_\_\_\_

The replies are summarized in the table below:

Facilities for joint controls with neighbour States (one-stop technology), 24 hours a day	7
Separation of traffic for different types of traffic on both sides of the border	9
Off-lane control areas for random cargo and vehicle checks	15
Appropriate parking and terminal facilities	13
Proper hygiene, social and telecommunications facilities for drivers	8
Adequate facilities for forwarding agents, so that they can offer services to transport operators on a competitive basis	3

As additional comments, some respondents highlighted the ongoing activities with a view to improving the border crossing infrastructure, for example, the purchase and installation of non-intrusive scanning equipment. One country indicated that, in order to improve and reinforce insufficient infrastructure of border crossing points, which is sometimes seen as obstacles to international road transport operations, it had introduced a Build-Operate-Transfer model that is mainly based on Public-Private Partnership. These modernized border crossing points have reduced the time required for clearance procedures.

Three EU member States pointed out that they had no borders with third countries.

#### IV. Further considerations

6. Because different sets of countries replied to the 2009–2010 and 2012 surveys, it does not seem feasible to perform a direct comparison of their results. In general, the outcome of the 2012 survey has reconfirmed that the Contracting Parties are well aware of and taking seriously their obligations under Annex 8 to the Harmonization Convention. Faster progress is again observed in meeting the requirements concerning the transfer of controls from the borders to inland offices, treatment of urgent consignments and infrastructure requirements for border crossing points. On the other hand, the areas of visa procedures for professional drivers and the International Vehicle Weight Certificate require further attention.

7. When replying to various questions, countries often referred to regional regulations, such as EU and CIS, which they have to take into account when implementing the provisions of Annex 8. This aspects merit further consideration, in particular, the CIS form of the International Vehicle Weight Certificate that is slightly different for the one provided for in the Harmonization Convention.

8. The Working Party may wish to discuss the results of the survey with a view to determining major areas for improvement to ensure the full implementation of Annex 8 at the national level. In addition, WP.30 is invited to provide guidance as to when and in which form the next survey of Contracting Parties should take place.