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Working Party on Customs Questions affecting Transport

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agenda item 3)

**ACTIVITES OF OTHER ORGANIZATIONS OF INTEREST
TO THE WORKING PARTY**

Survey on Removal of Obstacles at Border Crossing for International Goods Transport

Transmitted by the European Conference of Ministers of Transport (ECMT)

Note: The secretariat reproduces below a communication transmitted by the European Conference of Ministers of Transport (ECMT).

REMOVAL OF OBSTACLES AT BORDER CROSSINGS

Policy note

1. Delays at frontiers prolong transport times and hence increase the cost both of transport and of the goods transported. They are therefore an important factor in the relative competitiveness not only of transport modes but also of national economies in an increasingly global and competitive marketplace. According to the World Economic Forum, costs in connection with border crossings amount to some 85 billion USD per year worldwide, representing 1.2 percent of the total value of international trade and between 5 and 10 percent of the end price of goods.

2. Aware of the scale of the problem, the ECMT Council of Ministers has asked for the matter to be referred to it at regular intervals. Six successive reports on the removal of obstacles at border crossings have already been presented. On the basis of these documents, the Council of Ministers has adopted a number of Resolutions on the removal of obstacles, in particular Resolution 50 of 1984, Resolutions 94/5 and 99/2 and Resolution 2002/3 dealing specifically with the simplification of procedures for issuing visas to professional drivers. All these Resolutions form part of the ECMT *acquis* approved by the Council of Ministers at the Conference's 50th anniversary.

3. In accordance with the Council's request to be kept regularly informed of developments relating to the question of border crossings, the time seemed right to prepare a new report and present it to the session in Ljubljana. The enlargement of the European Union on 1 May 2004 is a major event in this respect and it is appropriate that the foreseeable consequences of enlargement on conditions for crossing borders in Europe should be examined at this stage.

A. THE CURRENT SITUATION

4. The report [document CEMT/CM(2004)23] shows that border crossing conditions vary significantly according to countries but it also highlights three major events which currently have repercussions on the conditions for crossing borders and will continue to have a significant influence on them in the years to come:

- the enlargement of the European Union and the conditions for applying and extending the Schengen Agreement;
- the relatively recent creation of new states and hence of new borders following the disappearance of the USSR and the break-up of former Yugoslavia;
- the globalisation of trade and the extension of trade relations to the entire European continent following the fall of communism.

5. Faced with the difficulties engendered by border crossings, the ECMT Member States, as the report shows, have taken a number of measures to implement the recommendations contained in Resolution 99/2 and, to a much lesser extent, in Resolution 2002/3. The most significant actions in this respect concern modernisation of border posts and facilities and greater cooperation between control agencies.

6. Nonetheless, the results are still far from sufficient, as average waiting times at border crossings show. Crossing times are still very high at the CIS's external borders, where in extreme cases they can rise to as much as 48 hours for road transport and 60 hours for rail transport. The situation is also highly unsatisfactory in the Balkans, where the creation of several new states has resulted in the rapid introduction of customs and police controls carried out by inexperienced staff at ill-equipped sites. While EU enlargement should ultimately reduce the scale of the still considerable problems in central Europe (waiting times can be as long as 15 hours for HGVs and 6 hours for trains at certain border crossing points), there can be no doubt that the relocation of the EU's external borders and, in time, the Schengen area following the accession of new Member States, may result in stricter controls at these borders and hence a significant increase in waiting times if appropriate measures are not taken soon.

B. OBSTACLES AT BORDER CROSSINGS

7. An examination of the obstacles currently observed at border crossings shows that the major problems arise in three areas:

- control procedures, which are without a doubt the main obstacle to free-flowing traffic for the following reasons:
 - the complexity of control procedures and changes to current regulations made without prior notice;
 - insufficient use of controls based on risk analysis and of automated clearing systems;
 - lack of cooperation between control agencies and, all too often, the lack of joint controls;
 - cumbersome procedures for technical controls on the railways;
- infrastructure where, despite certain improvements financed by international programmes (EU funds, the World Bank TTFSE and TTFSC programmes, etc.):
 - border posts in certain recently created states and at the EU's future external borders are under-equipped;

- systems for communicating and transmitting data between all players at border crossings, and especially between different countries' control agencies and rail operators, are insufficient;
 - railway equipment (and personnel) are not interoperable, meaning that in almost all cases locomotives have to be changed at borders even though the technical conditions for interoperability may sometimes be met;
- staff, where the following shortcomings may be observed:
- lack of quality and training;
 - insufficient motivation and hence very low productivity in many cases;
 - questionable ethical conduct, resulting in widespread corruption and smuggling, the scale of which is underlined by the many comments on the subject made by Member States in their answers to the ECMT survey.

C. RECOMMENDED ACTIONS

8. In view of the considerable obstacles that still exist at certain border crossings within the geographical zone covered by the ECMT, it seems advisable to continue and develop actions to improve such crossings, focussing as a first step on border posts located on Pan-European transport corridors. It is thus highly desirable that the Transport Ministers meeting in Ljubljana for the session of the ECMT Council of Ministers should:

- reiterate their commitment to implement the measures recommended in previous ECMT Resolutions on the removal of obstacles at border crossings;
- emphasise the need to implement measures not expressly mentioned in previous Resolutions;
- take the necessary action with regard to all other competent Ministers;
- ensure the ratification and/or implementation of conventions / agreements / resolutions prepared under the aegis of UNECE to facilitate border crossings,

by agreeing the following Recommendations.

REMOVAL OF OBSTACLES AT BORDER CROSSINGS

RECOMMENDATIONS

9. ECMT Ministers of Transport, meeting in Ljubljana, on 26 and 27 May 2004:
 - REITERATE their commitment to implement the measures recommended in Resolutions 99/2 and 2002/3, especially those which have had little effect to date, such as the general use of control based on risk analysis techniques, the appointment of a single manager to supervise all control operations at each border post and the issuance of multiple visas for professional drivers, so as to achieve internationally agreed objectives for reducing the time spent on formalities and controls, namely a 50% reduction in waiting times for road hauliers with the overall objective of not having to wait for more than one hour in accordance with ECMT Resolution 99/2 and a 60-minute (30 minutes for each of the neighbouring countries) maximum waiting time for shuttle trains at borders in accordance with the recommendations of Resolution 248 of the UNECE Inland Transport Committee;
 - EMPHASISE the need to implement certain measures not expressly mentioned in the Resolutions mentioned above but recommended in the report CEMT/CM(2004)23, namely:
 - actions to promote free access to the road transport market and the fostering of competition between rail operators, giving them the possibility of engaging in end-to-end international transport under their sole commercial responsibility;
 - the development of interoperable railway equipment, adopting an approach consistent with the European Union one and, while awaiting effective interpenetration of such equipment, general introduction of the system whereby wagons are handed over on trust;
 - the modernisation of border posts at the enlarged EU's external borders with the CIS and Balkan states, taking particular care to ensure that they have appropriate computer equipment and that access roads and vehicle parks are sufficiently spacious;
 - the creation of specific queues for empty vehicles or vehicles in transit and the application of specific procedures for transit traffic;
 - the implementation of cross-border information and data transmission systems;
 - the harmonisation and, if possible, the reduction of movement restrictions imposed on HGVs;
 - the reconciliation of the CIM (Uniform Rules concerning the Contract for International Carriage of Goods by Rail, COTIF) and SMGS (Convention concerning International Goods Traffic by Railway, OSJD) legal regimes applicable to international rail transport;

- the development of a consistent and harmonised multilateral strategy to combat illegal immigration;
 - the training of border crossing personnel and enhancement of their status, including their pay;
 - the fight against corruption and illegal practices, including the use of computerised and automated clearing systems;
- AGREE to take the necessary action with regard to all other competent ministers (especially those responsible for customs and police) to implement the measures recommended both in Resolutions 99/2 and 2003/3 and in the report CEMT/CM(2004)23 and to frame a coherent overall strategy for the removal of obstacles at border crossings;
- INTEND to act so that their governments ratify and/or implement conventions / agreements / Resolutions prepared under the aegis of UNECE to facilitate border crossings, especially:
- the International Convention on the Harmonisation of Frontier Controls of Goods, including the new Annex 8 which contains specific provisions on the issuance of visas for professional drivers, technical inspection of vehicles (with acceptance of the international technical inspection certificate) and institution of an international vehicle weight certificate;
 - the Consolidated Resolution on the Facilitation of International Road Transport (R.E.4).
- INSTRUCT the Committee of Deputies to monitor the implementation of these Recommendations and to report to the Council by 2008.
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