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## **Economic Commission for Europe**

### **Inland Transport Committee**

#### **Working Party on Customs Questions affecting Transport**

##### **141st session**

Geneva, 6–9 October 2015

Item 4 of the provisional agenda

##### **International Convention on the Harmonization of Frontier Controls of Goods, 1982 ("Harmonization Convention")**

### **Proposal on a new Annex 10 on sea ports**

#### **Note by the secretariat**

#### **I. Introduction**

1. The current document contains first comments on Annex 10 received by the secretariat from the Russian business and from the IMO (International Maritime Organization) secretariat.
2. It is recalled that the first draft of Annex 10 is submitted for consideration of the Working Party and is contained in the document ECE/TRANS/WP.30/2015/21.

#### **II. Part 1**

##### **Comments received from business operators from Russian Federation (from the working group on monitoring sea border crossings under the Coordination Council of the Committee on Transport of the Russian Parliament; State Duma, Moscow, Russian Federation)**

"We welcome the UNECE initiative relating to the UN International Convention on the Harmonization of Frontier Controls of Goods (of 1982), namely to a suggestion to prepare a new annex on sea ports (annex 10) to this Convention covering issues of border crossing procedures at seaports.

The new annex as contained in the document ECE/TRANS/WP.30/2015/21, in our opinion, will help raise the efficiency of work of international sea ports and improve the quality of regulatory controls with their simultaneous facilitation.

At the same time the experiences with implementation of the existing annexes of this Convention (on road and railway modes of transport) show the importance of having benchmarking and of accountable provisions to enable the monitoring and comparison of the implementation progress.

For example, the main problem faced by the Russian private operators is an excessive number of documents (usually containing repetitive and duplicating information) required by the Russian customs for clearance of goods and ships at Russian ports. With this in mind and to make the new annex 10 more practice-oriented, we suggest for example, to make reference in annex 10 to agreed international good practice, such as, for example, relevant conventions and recommendations of the IMO (International Maritime Organization).

Based on this proposal, please find attached below our first proposals to change the text of the provision 8 of annex 10 (a new suggested text is underlined). We will continue to work on the text of the annex 10."

### **Article 8 Documentation**

1. The Contracting Parties shall ensure that shipping and accompanying documents are properly formulated in accordance with the legislation of the importing and transit countries. The Contracting Parties shall endeavour to reduce the number of documents required for import, export and transit of goods entering or leaving the port by sea or hinterland, taking as a reference an IMO FAL-65 Convention and other IMO recommendations.

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3. The Contracting Parties shall endeavour to provide customs authorities with advance information on goods arriving in ports, as contained in the documents specified in the Convention on Facilitation of International Maritime Traffic, 1965 (FAL-65).

## **III. Part 2**

### **Comments received from IMO (International Maritime Organization) secretariat**

The comments received from IMO secretariat included the suggestion to take the IMO FAL Convention (Convention on Facilitation of International Maritime Traffic, 1965; FAL-65) into consideration when drafting the new Annex 10, as the FAL Convention contains some references to the facilitation of international maritime transport, including cargo clearance by customs, national maritime transport facilitation committee and programme, etc.

The attention of UNECE delegations was attracted to the section 2 of the annex to the FAL Convention which is related to the "arrival, stay and departure of the ship", and section 5 of the annex which is related to the "arrival, stay and departure of cargo and other articles", and contains provisions concerning the formalities required by public authorities from the shipowner, his agent or the master of the ship.