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Administrative Committee for the International Convention on the Harmonization of Frontier Controls of Goods, 1982

Tenth session

Geneva, 9 October 2014

Item 1 of the provisional agenda

Adoption of the agenda

Annotated Provisional Agenda for the Tenth Session^{1,2}

To be held at the Palais des Nations, Geneva, starting at 3 p.m. on Thursday,
9 October 2014

I. Provisional Agenda

1. Adoption of the agenda.
2. Election of officers.
3. Status of the Convention.

¹ For reasons of economy and sustainability, delegates are requested to bring copies of the documents mentioned in this provisional agenda to the meeting. There will be no official 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: wp.30@unece.org). Documents may also be downloaded from the UNECE Border Crossing Facilitation website <<http://border.unece.org>>. During the meeting, official documents may be obtained from the UNOG Documents Distribution Section (Room C.337, 3rd floor, Palais des Nations).

² The full text of the Harmonization Convention, 1982, as well as a complete list of Contracting Parties to the Convention, is available on the UNECE website: www.unece.org/trans/conventn/legalinst.html#customs. Delegates are requested to complete the registration form available from the Internet website of the UNECE Transport Division www.unece.org/trans/registfr.html and to transmit it to the UNECE secretariat, at the latest one week prior to the session, either by fax (+41-22-917-0039) or by e-mail (wp.30@unece.org). Prior to the session, delegates who do not hold a long-term access badge should obtain an identification badge at the UNOG Security and Safety Section, located at the Pregny Gate (14, Avenue de la Paix). In case of difficulty, please contact by telephone the UNECE secretariat (internal extension 73263). For a map of the Palais des Nations and other useful information, see website www.unece.org/meetings/practical.htm.



4. Proposals for amendments of the Convention.
5. Application of the Convention:
 - (a) Annex 8 on facilitation of border crossing procedures for international road transport;
 - (b) Annex 9 on facilitation of border crossing procedures for rail transport;
 - (c) Implementation of the Harmonization Convention and the use of best practices in this context;
 - (d) Implementation of the Harmonization Convention within the context of other international legal instruments.
6. Other business:
 - (a) Promotion of the Harmonization Convention;
 - (b) Date of next session;
 - (c) Restriction on the distribution of documents.
7. Adoption of the report.

II. Annotations

1. Adoption of the agenda

The Administrative Committee may wish to consider and adopt the agenda, as prepared by the secretariat (ECE/TRANS/WP.30/AC.3/19). The Committee will also be informed that, in accordance with Annex 7, Article 6 of the Convention, “a quorum consisting of not less than one third of the States which are Contracting Parties is required for the purposes of taking decisions.” For the time being, the number of Contracting Parties to the Convention is 57.

Documentation

ECE/TRANS/WP.30/AC.3/19

2. Election of officers

In accordance with Annex 7, Article 5 of the Convention, the Committee should elect a Chair and a vice-Chair for every session.

3. Status of the Convention

The Committee will be informed about the status of the Convention.

Since the ninth session of the Committee, three new countries (Iran (Islamic Republic of) in 2010, Morocco in 2012 and Tajikistan in 2011) acceded to the Convention which has entered into force for all these countries.

More detailed information on the status of the Convention as well as on various Depository Notifications is available on the UNECE website.³

4. Proposals for amendments of the Convention

The Administrative Committee will be informed about the proposals for the amendments of the Convention.

The Administrative Committee may wish to note that in 2010–2014, the UNECE Working Party on Customs Questions affecting Transport (WP.30) continued discussing ways and means of making the Convention more efficient. In this context, it is recalled that previous surveys organized by the secretariat (for example, ECE/TRANS/WP.30/2006/12) indicated the interest of governments to have the modern concepts used in integrated border management procedures explained and defined in the Convention.

Among the suggestions at WP.30 sessions in 2010–2014 as possible new annexes to the Convention (or as new provisions for its text) were border crossing procedures at seaports as well as benchmarking and performance indicators for implementation.

WP.30 has debated the issue of seaports since 2011 when the report “Hinterland Connection of Seaports” (ECE/TRANS/210) was published by the secretariat. Extensive consultations with a number of competent international organizations and private sector

³ www.unece.org/trans/conventn/legalinst.html#customs

showed that the majority generally supported the idea of preparing a new annex on border crossings at seaports. During its deliberations in 2012–2014 on implementation of the Convention at a national level, WP.30 felt that introduction into the Convention of an agreed set of benchmarking and performance indicators would be a tool for improving reporting and comparison mechanism. At the same time, members of the WP.30 pointed out that their participation in such future project would be limited due to lack of resources or expertise (ECE/TRANS/WP.30/258, para. 11). The debate is still ongoing on this issue, and different views were expressed on whether such performance indicators should be introduced in the text of Convention or should be elaborated as non-binding recommendations.

WP.30 was of the opinion that port authorities of major seaports should be contacted with the objective to involve industry as a driving force for such project.

For more information on this issue see also item 5 (c) of this agenda.

Documentation

ECE/TRANS/WP.30/258, ECE/TRANS/WP.30/2013/4

5. Application of the Convention

(a) Annex 8 on facilitation of border crossing procedures for international road transport

It is recalled that Annex 8 to the Convention entered into force on 20 May 2008. In 2010–2014, WP.30 regularly discussed developments in this area and noted with concern the slow implementation of Annex 8 at the national level.

The survey on implementation of Annex 8 that was held in 2011 (ECE/TRANS/WP.30/2011/1) demonstrated a good awareness of the Contracting Parties of their obligations under Annex 8 and a positive progress in areas of a transfer of controls from borders to inland offices, treatment of urgent consignments and infrastructure requirements for border crossing points. On the other hand, slow progress was revealed in areas of visa procedures and of the IVWC (International Vehicle Weight Certificate).

WP.30 attached a special attention to the IVWC which was a regular item of the WP.30 agenda and experiences with its implementation were presented and discussed. In this context the WP.30 welcomed the initiative of the Organization of the Black Sea Economic Cooperation (BSEC) promoting the implementation of IVWC in its region and a BSEC pilot project to this end.

Another issue considered in the context of facilitation in international road transport was a proposal on introducing an “international vehicle/container X-ray scanning certificate” to avoid repetitive x-ray inspections at border crossings. The debate exposed divergent views on whether x-ray scans were compatible and if such an exchange of information was useful. After careful consideration of this issue at its sessions, WP.30 finally decided (ECE/TRANS/WP.30/272) not to revert to this issue in the future in view of the fact that article 8 of the Convention already deals with the exchange of information and that the issue of x-ray scanning results exchange between customs administrations is under discussion at the World Customs Organization.

The Committee will be informed about the progress in organizing the next biennial survey on implementation of Annex 8 which is planned for the autumn of 2014.

Finally, the Committee will be informed that as the result of the activities by the secretariat an authentic Spanish text of Annex 8 has been prepared and is available for Contracting Parties.

The delegations may wish to inform the Committee about national implementation of Annex 8 provisions in their countries.

Documentation

ECE/TRANS/WP.30/2011/1, ECE/TRANS/WP.30/272

(b) Annex 9 on facilitation of border crossing procedures for rail transport

The Committee will be informed that a new Annex 9 to the Harmonization Convention entered into force on 30 November 2011. It is recalled that this annex was adopted by the Administrative Committee at its previous (ninth) session on 27 May 2010, as set out in document ECE/TRANS/WP.30/AC.3/2010/1.

This is a second annex to the Harmonization Convention dealing with a particular mode of transport. The new Annex provides, inter alia, requirements for border (interchange) stations and for cooperation between adjacent countries. It foresees also a mechanism for reciprocal recognition of controls of rolling stock, containers, etc., a need to comply with time limits for reception and transfer of trains, means of documentation facilitation (through the use of the CIM/SMGS railway consignment note, instead of other shipping documents, and also as a customs document).

During its deliberations in 2010–2014 on the new Annex, the WP.30 stressed that concerted actions of various government authorities were required to ensure the smooth introduction of the Annex 9 provisions into national legislation of the Contracting Parties and their practical implementation.

The Committee will be informed about the progress with a survey on national applications of Annex 9 (ECE/TRANS/SC.2/2013/6) which is organized by the UNECE Working Party on Rail Transport (SC.2) and secretariat.

The delegations may wish to inform the Committee about national implementation of Annex 9 provisions in their countries.

Documentation

ECE/TRANS/WP.30/AC.3/2010/1, ECE/TRANS/SC.2/2013/6

(c) Implementation of the Harmonization Convention and the use of best practices in this context

While stressing the importance of better implementation of the Convention and of its annexes, WP.30 regularly debated various options of monitoring national implementations and ways of identifying major achievements, setbacks and obstacles.

In this context, WP.30 welcomed the publication in 2012 of the joint UNECE and OSCE “Handbook on Best Practices at Border Crossings: A Trade and Transport Facilitation Perspective”. A special event — round table on the role of best practices at border crossings in the implementation of the Harmonization Convention — was also held in June 2012 (its outcome was published in document ECE/TRANS/WP.30/2012/9).

During its deliberations at its 133rd–135th sessions, WP.30 suggested that the implementation and monitoring of the Convention could be improved through the systematic use of benchmarking and performance indicators (a set of such options was presented in the document ECE/TRANS/WP.30/2013/4). It is recalled also that the OSCE-UNECE Handbook on Best Practices at Border Crossings, includes a chapter on border crossing performance measurement. There was a general agreement on the usefulness of such best practice. Some countries wished to introduce benchmarking and performance

indicators as a new concept into the text of the Convention, whereas others prefer to have them in a format of non-binding recommendations.

The Committee may wish to consider and decide on the usefulness of the appropriate benchmarking and performance options for assessing the implementation of the Harmonization Convention at a national level and on the format of a link of such indicators to the current Convention.

In this context a relevant UNECE experience could be recalled, when in 2002 the Working Party on Rail Transport organized an annual monitoring on the progress made in the facilitation of border crossing in international rail transport (see documents for its fifty-sixth session TRANS/SC.2/2002/8 and Adds. 1–2). Under this exercise, information was provided by Bulgaria, Hungary, Romania, Russian Federation, Turkey and Ukraine. The data included different types of trains (block, container, etc.) delays on arrival, stopping time (foreseen and real) and time spent on controls by various agencies. Interesting findings include, for example, the common delay in arrival of trains which caused subsequent problems for servicing the trains and also that among border controls agencies (customs, police, railway, others) the main time was spent on railway servicing and controls. Such data allows objectively identify issues of concern and could constitute a first step for business process analysis with the purpose of eliminating such barriers to transport and trade.

In the opinion of the secretariat, the future exercise on benchmarking and performance indicators might start with a new similar exercise in the area agreed by delegations and they are invited to share their views on this subject.

Another option (suggested at the 137th session of WP.30) might be to start a discussion on typical problems faced by transport and trade operators at border crossings which will allow identifying the priority areas for further monitoring and benchmarking.

Documentation

ECE/TRANS/WP.30/2012/9, ECE/TRANS/WP.30/2013/4, TRANS/SC.2/2002/8 and Adds. 1–2

(d) Implementation of the Harmonization Convention within the context of other international legal instruments

In the light of increasing threats of global terrorism, a number of initiatives have recently been undertaken by various intergovernmental and non-governmental organizations with the aim of ensuring security in the global trade and transport. For example, the World Customs Organization (WCO) has developed the Framework of Standards to Secure and Facilitate Global Trade (SAFE Framework) which was adopted in June 2005. The Committee may wish to exchange views on the implications of the above developments for the Harmonization Convention.

6. Other business

(a) Promotion of the Harmonization Convention

The Committee will be informed about discussions on possible synergies between a new WTO Agreement on Trade Facilitation and the Harmonization Convention that took place during the session of the Inland Transport Committee on 25–27 February 2014.

Delegates are invited to see Informal document WP.30 (2014) No. 7 that compares major provisions of the WTO TF agreement of the Harmonization Convention. The purpose of this document is not to provide a legal analysis of the two legal instruments but to show

that trade facilitation provisions are spread all over the provisions of both legal texts and that countries which are implementing the Harmonization Convention are also implementing relevant commitments set by WTO.

The Committee may wish to discuss means of promoting (awareness and capacity-building) of the Harmonization Convention in UNECE and other regions and further cooperation with WTO in this area.

Documentation

Informal document WP.30 (2014) No. 7

(b) Date of next session

In accordance with Annex 7, Article 4, sub paragraphs (ii) and (iii) of the Convention, the Administrative Committee may wish to decide on the date for its next session.

(c) Restriction on the distribution of documents

The Administrative Committee may wish to decide whether there should be any restrictions on the distribution of documents issued in connection with this session.

7. Adoption of the report

In accordance with Annex 7, Article 8 of the Convention, the Administrative Committee will adopt the report of its tenth session on the basis of a draft prepared by the UNECE secretariat. Given the present resource restrictions in translation facilities, parts of the final report may not be available at the end of this meeting (organized in conjunction with a WP.30 session) for adoption in all working languages.
