



# Economic and Social Council

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## Economic Commission for Europe

### Inland Transport Committee

#### Working Party on Customs Questions affecting Transport

##### 142nd session

Geneva, 9–12 February 2016

Item 1 of the provisional agenda

##### Adoption of the agenda

### Annotated provisional agenda for the 142nd session<sup>1, 2</sup>

to be held at the Palais des Nations, Geneva, starting at 10.00 a.m. on Tuesday, 9 February 2016, finishing at 13.00 p.m. on Wednesday, 10 February 2016 and resuming on Friday, 12 February 2016 at 10.00 a.m., Room XII, Palais des Nations

#### I. Provisional agenda

1. Adoption of the agenda.
2. Election of officers.

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<sup>1</sup> 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 official documentation available in the meeting room. Before the meeting, documents may be obtained directly from the ECE Transport Division (Fax: +41-22-917-0039; e-mail: wp.30@unece.org). Documents may also be downloaded from the ECE Border Crossing Facilitation website [www.unece.org/trans/bcf/welcome.html](http://www.unece.org/trans/bcf/welcome.html). During the meeting, documents may be obtained from the UNOG Documents Distribution Section (Room C.337, third floor, Palais des Nations).

Delegates are requested to register online at: [www2.unece.org/uncdb/app/ext/meeting-registration?id=xEeC70](http://www2.unece.org/uncdb/app/ext/meeting-registration?id=xEeC70) or to complete the registration form available from [www.unece.org/meetings/practical\\_information/confpart.pdf](http://www.unece.org/meetings/practical_information/confpart.pdf) and to transmit it to the ECE 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 ECE secretariat (internal extension 75975). For a map of the Palais des Nations and other useful information, see website [www.unece.org/meetings/practical.htm](http://www.unece.org/meetings/practical.htm).

<sup>2</sup> The full text of the Conventions, as well as complete lists of Contracting Parties to the Conventions referred to in this agenda are available on the ECE website: [www.unece.org/trans/conventn/legalinst.html#customs](http://www.unece.org/trans/conventn/legalinst.html#customs).

3. Activities of United Nations Economic Commission for Europe (UNECE) bodies and other United Nations organizations of interest to the Working Party.
4. Customs Convention on the International Transport of Goods under Cover of TIR Carnets (TIR Convention, 1975):
  - (a) Status of the Convention;
  - (b) Revision of the Convention:
    - (i) Amendment proposals to the Convention;
    - (ii) Preparation of Phase III of the TIR revision process;
    - (iii) Amendment proposals to the Convention: Audit requirements for an authorized international organization.
  - (c) Application of the Convention:
    - (i) New developments in the application of the Convention;
    - (ii) TIR-related electronic data interchange systems;
    - (iii) Settlement of claims for payments;
    - (iv) Relation between the World Trade Organization Trade Facilitation Agreement, the TIR Convention and other legal instruments;
    - (v) Other matters.
5. International Convention on the Harmonization of Frontier Controls of Goods, 1982 (“Harmonization Convention”):
  - (a) Status of the Convention;
  - (b) Proposals for a new Annex 10 on sea ports;
  - (c) Border performance measurement and the Harmonization Convention.
6. International Convention to Facilitate the Crossing of Frontiers for Passengers and Baggage carried by Rail, of 10 January 1952.
7. Customs Conventions on the Temporary Importation of Private Road Vehicles (1954) and Commercial Road Vehicles (1956).
8. Activities of other organizations and countries of interest to the Working Party:
  - (a) European Union;
  - (b) Economic Cooperation Organization;
  - (c) Eurasian Economic Union;
  - (d) World Customs Organization;
  - (e) Organization for Cooperation between Railways.
9. Other business:
  - (a) Dates of the next sessions;
  - (b) Restriction on the distribution of documents.
10. Adoption of the report.

## II. Annotations

### 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.

#### Documentation

ECE/TRANS/WP.30/283

### 2. Election of officers

In accordance with the Commission's rules of procedure and established practice, the Working Party (WP.30) should elect a Chair and, possibly, a Vice-Chair for its sessions in 2016.

### 3. Activities of United Nations Economic Commission for Europe (UNECE) bodies and other United Nations organizations of interest to the Working Party

The Working Party will be informed about activities of the Inland Transport Committee (ITC), its Bureau, subsidiary bodies and other United Nations organizations on matters of interest to the Working Party.

### 4. 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 about any changes in the status of the Convention and the number of Contracting Parties. More detailed information on these issues as well as on depositary notifications is available on the TIR website.<sup>3</sup>

#### (b) Revision of the Convention

##### (i) Amendment proposals to the Convention

The Working Party may wish to recall that at its previous session it had considered:

- Proposals of an editorial nature, listed by the secretariat in document ECE/TRANS/WP.30/2015/17 and its Corr.1. The Working Party agreed that, over the years, various terms have been used inconsistently or, at least without, seemingly, proper research. The Working Party requested the secretariat to prepare a revision of the said document and highlight the situations where a change in term seemed appropriate and submit them for further consideration at the next session. Finally the Working Party invited delegations to provide their comments or views to

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<sup>3</sup> [www.unece.org/tir/tir-depositary\\_notification.html](http://www.unece.org/tir/tir-depositary_notification.html)

the secretariat, not later than by 16 November 2015, for preparation of a new document for consideration at the next session (ECE/TRANS/WP.30/282, para. 10).

Further to these requests, the secretariat prepared documents ECE/TRANS/WP.30/2015/17/Rev.1, containing proposals of an editorial nature and ECE/TRANS/WP.30/2016/1 with comments or views of Contracting Parties regarding proposals of an editorial nature.

- Proposals to amend Article 18, on the basis of documents ECE/TRANS/WP.30/2015/18 by the International Road Transport Union (IRU) and ECE/TRANS/WP.30/2015/19 by the secretariat. After considerations, the Working Party decided to revert to the issue at its next session and requested IRU to submit additional clarification about the impact of the increase in the places of loading and unloading from four to eight on the TIR guarantee. IRU was invited to include in its assessment the experiences with the use of more than one TIR Carnet to conduct a TIR transport, in accordance with the comment to Article 18 “Possibilities of increasing the total number of loading and unloading points to more than four in exceptional cases”. Finally, the Working Party invited delegations to provide any additional comments or views to the secretariat, by 16 November 2015 at the latest, for a revision of document ECE/TRANS/WP.30/2015/19, for consideration at the next session (ECE/TRANS/WP.30/282, para. 12).

Further to these requests, the secretariat prepared document ECE/TRANS/WP.30/2016/2, submitted by IRU and clarifying the impact of the increase in the number of the places of loading and unloading on the TIR guarantee and ECE/TRANS/WP.30/2015/19/Rev.1 with comments or views of Contracting Parties regarding this proposal.

- Proposals by the Government of the Russian Federation to amend Annex 9, Part I, paragraph 7, line 2, replacing “Contracting Parties” by “Contracting Party”. The Working Party requested the secretariat to include this proposal in the list of editorial alignments (See ECE/TRANS/WP.30/282, para. 14).

The Working Party is invited to continue its discussions of the above-mentioned proposals.

#### **Documentation**

ECE/TRANS/WP.30/2015/17/Rev.1, ECE/TRANS/WP.30/2015/19/Rev.1,  
ECE/TRANS/WP.30/2016/1, ECE/TRANS/WP.30/2016/2

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

The Working Party will be informed about the latest developments in the field of computerization of the TIR procedure. In particular, the Working Party will be informed about:

- (a) progress in the eTIR Pilot Project between Italy and Turkey;
- (b) the ECE/IRU eTIR Pilot Project between Iran (Islamic Republic of) and Turkey as pilot countries; and
- (c) progress in the implementation of the United Nations Development Account project: “Strengthening the capacities of developing countries and countries with economies in transition to facilitate legitimate border crossing, regional cooperation and integration”.

Under this agenda item the Working Party will also be informed about the results of the first session of the Group of Experts on the Legal Aspects of Computerization of the TIR Procedure (GE.2), which took place on 16–17 November 2015, in Geneva.

**(iii) Amendment proposals to the Convention: Audit requirements for an authorized international organization**

The Working Party may wish to recall that, at its previous session, it had reviewed document ECE/TRANS/WP.30/2015/11/Rev.1 and, in particular, the proposals in Part VII to amend Annex 8, Art. 1 *bis* with new paragraphs 4–6 and to amend Annex 9, Part III, paragraph 2 with new items (o), (p) and (q). In brief, the Working Party agreed that (a) draft Annex 8, Article 1 *bis*, paragraph 5 should reflect the requirement that the results of the examinations to be conducted by the Committee should be made available to Contracting Parties at all times; (b) to clarify in Annex 8, Article *bis*, paragraphs 4 and 5 that the audits and examinations conducted by or on behalf of the Committee do not need to be strictly limited in scope by the originally submitted documents, but that, rather, the scope should be ideally determined by the object or overall purpose of the examination; (c) the reasons for such examinations should be based on risk assessment and, possibly, be conducted by the TIR Executive Board (TIRExB) and (d) procedural guidelines should be established on the modalities of mandating, organizing and conducting additional audits and examinations, possibly by means of drafting an Explanatory Note to Annex 8, Article 1 *bis*, paragraph 6 (see ECE/TRANS/WP.30/282, para 19). Further to these substantial discussions, the Working Party requested the secretariat to prepare a new document, reflecting the above-mentioned observations, for consideration at its next session.

Further to this request, the secretariat prepared document ECE/TRANS/WP.30/2016/3 for consideration by the Working Party.

**Documentation**

ECE/TRANS/WP.30/2016/3

**(c) Application of the Convention**

**(i) New developments in the application of the Convention**

The Working Party may wish to recall its extensive discussions, at previous sessions, on the measures introduced by the national competent authorities that affected the implementation of the TIR procedure (ECE/TRANS/WP.30/270, paras. 19–30, ECE/TRANS/WP.30/272, paras. 37–43, ECE/TRANS/WP.30/274, paras. 26–30, ECE/TRANS/WP.30/276, paras. 13–19, ECE/TRANS/WP.30/278, paras. 23–27; ECE/TRANS/WP.30/280, paras. 16–24, ECE/TRANS/WP.30/282, paras. 20–22).

At its previous session, the Working Party was informed by the representative of the Federal Customs Service of the Russian Federation about a draft decree, containing a list of approved border crossing offices for the acceptance of TIR Carnets. The Working Party took note, that, pending finalization of the list, TIR Carnets were generally accepted by the customs offices concerned (see ECE/TRANS/WP.30/282, para. 21).

The Working Party will be informed about further developments, if any.

**(ii) TIR-related electronic data interchange systems**

The Working Party will be informed by IRU about the latest statistical data on the performance of Contracting Parties in the control system for TIR Carnets — SafeTIR system.

Under this agenda item, delegations are also invited to report on the functioning of various national and international TIR-related electronic data interchange (EDI) systems.

(iii) **Settlement of claims for payments**

The Working Party may wish to be informed by customs authorities and IRU about the current situation on the settlement of claims for payments made by customs authorities against national guaranteeing associations.

(iv) **Relation between the World Trade Organization Trade Facilitation Agreement, the TIR Convention and other legal instruments**

The Working Party may wish to recall that, at its previous session, it took note of Informal documents WP.30 (2015) Nos. 14 and 15, in which the secretariat provided a comparison between the World Trade Organization Trade Facilitation Agreement and, respectively, the TIR Convention and the Harmonization Convention. The secretariat was requested to issue official documents, also including a comparison of other important legal instruments in the field of transport and customs, such as, but not limited to the World Customs Organization Revised Kyoto Convention (see ECE/TRANS/WP.30/282, para. 27).

Further to this request, the secretariat prepared document ECE/TRANS/WP.30/2016/4, for consideration of the Committee.

**Documentation**

ECE/TRANS/WP.30/2016/4

(v) **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.

**5. International Convention on the Harmonization of Frontier Controls of Goods, 1982 (“Harmonization Convention”)**

(a) **Status of the Convention**

The Working Party will be informed about any changes in the status of the Convention and in the number of Contracting Parties. More detailed information on these issues as well as on various Depository Notifications are available on the ECE website.

(b) **Proposal on a new Annex 10 on sea ports**

The Working Party may wish to recall that, at its previous session, it discussed document ECE/TRANS/WP.30/2015/21, containing a first draft of a new Annex 10 to the Harmonization Convention. The Working Party took also note of various comments to the draft, contained in Informal document WP.30 (2015), No. 13. The Working Party took note of the proposals and requested delegations to inform their national agencies, port authorities and business operators about the project and invite them to submit their comments and views by 16 November 2015 at the latest to the secretariat (see ECE/TRANS/WP.30/282, paras. 29–32).

Further to this request, the secretariat prepared document ECE/TRANS/WP.30/2015/21/Rev.1, containing comments and proposals to the draft, for consideration of the Working Party.

**Documentation**

ECE/TRANS/WP.30/2015/21/Rev.1

(c) **Border performance measurement and the Harmonization Convention**

The secretariat will inform the Working Party of further developments in this issue, if any.

**6. International Convention to Facilitate the Crossing of Frontiers for Passengers and Baggage carried by Rail, of 10 January 1952**

The Working Party may wish to recall that, at its previous session, it took note of document ECE/TRANS/WP.30/2015/22, containing the text of a new convention on the facilitation of border crossing procedures for passengers, luggage and load-luggage carried in international traffic by rail. Further to some introductory suggestions from various delegations, the Working Party invited delegations to submit their comments and views not later than by 16 November 2015 to the secretariat. The Working Party further mandated the secretariat to prepare, in cooperation with the Organization for Cooperation between Railways (OSJD), the informal group and interested delegations, a paper containing a comparative analysis of the new convention and other relevant legal instruments, in order to facilitate considerations of the draft text of the new convention, for consideration at its next session (see ECE/TRANS/WP.30/282, paras. 35–38).

In line with the above requests, the secretariat prepared documents ECE/TRANS/WP.30/2016/5, transmitting comments and views on the text of the new convention and ECE/TRANS/WP.30/2016/6, containing a comparative analysis.

**Documentation**

ECE/TRANS/WP.30/2016/5, ECE/TRANS/WP.30/2016/6

**7. Customs Conventions on the Temporary Importation of Private Road Vehicles (1954) and Commercial Road Vehicles (1956)**

The Working Party will be informed about the status of the Customs Conventions on the Temporary Importation of Private (1954) and Commercial (1956) Road Vehicles. In addition, the International Touring Alliance and the International Automobile Federation may report on several issues in the implementation of these Conventions.

**8. Activities of other organizations and countries of interest to the Working Party**

The Working Party will take note of activities by various regional economic or Customs Unions as well as by other organizations, both intergovernmental and non-governmental, and countries as far as they relate to matters of interest to the Working Party.

(a) **European Union**

The Working Party may wish to be informed about recent developments in the European Union related to the activities of the Working Party.

(b) **Economic Cooperation Organization**

The Working Party may wish to be informed about relevant activities and ongoing projects carried out by the Economic Cooperation Organization.

(c) **Eurasian Economic Union**

The Working Party may wish to be informed about further progress in relevant activities and projects carried out by the Eurasian Economic Union.

(d) **World Customs Organization**

The Working Party may wish to be informed about recent activities of the World Customs Organization as far as they relate to matters of interest to the Working Party on Customs Questions affecting Transport.

(c) **Organization for Cooperation between Railways**

The Working Party may wish to be informed about relevant activities and ongoing projects carried out by OSJD.

**9. Other business**

(a) **Dates of the next sessions**

The Working Party may wish to decide on the dates of its next sessions. The secretariat has made arrangements for the 143rd session to be held from 30 May to 3 June 2016.

(b) **Restriction on the distribution of documents**

The Working Party should decide whether or not there shall be any restrictions on 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 142nd session on the basis of a draft prepared by the secretariat. Given the present translation resource restrictions, parts of the final report may not be available at the session for adoption in all working languages.

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