Economic Commission for Europe

Inland Transport Committee

Working Party on Customs Questions affecting Transport

127th session
Geneva, 1–4 February 2011

Report of the Working Party on Customs Questions affecting Transport on its 127th session

Contents

<table>
<thead>
<tr>
<th>Paragraphs</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>I. Attendance</td>
<td>1 3</td>
</tr>
<tr>
<td>II. Adoption of the agenda (agenda item 1)</td>
<td>2 3</td>
</tr>
<tr>
<td>III. Opening statement</td>
<td>3 3</td>
</tr>
<tr>
<td>IV. Election of officers (agenda item 2)</td>
<td>4 3</td>
</tr>
<tr>
<td>V. Activities of United Nations Economic Commission for Europe bodies and other United Nations organizations of interest to the Working Party (agenda item 3)</td>
<td>5 3</td>
</tr>
<tr>
<td>VI. Activities of other organizations and countries of interest to the Working Party (agenda item 4)</td>
<td>6–12 4</td>
</tr>
<tr>
<td>A. Status of the Convention</td>
<td>13 5</td>
</tr>
<tr>
<td>B. Annex 8 on road transport</td>
<td>14–15 5</td>
</tr>
<tr>
<td>C. Harmonization Convention and hinterland connections of seaports</td>
<td>16 6</td>
</tr>
<tr>
<td>VIII. International Convention to Facilitate the Crossing of Frontiers for Passengers and Baggage Carried by Rail, of 10 January 1952 (agenda item 6)</td>
<td>17–18 6</td>
</tr>
<tr>
<td>IX. Rail transit (agenda item 7)</td>
<td>19 7</td>
</tr>
<tr>
<td>X. Customs Conventions on the Temporary Importation of Private Road Vehicles (1954) and Commercial Road Vehicles (1956) (agenda item 8)</td>
<td>20–21 7</td>
</tr>
<tr>
<td>A. Status of the Conventions</td>
<td>20 7</td>
</tr>
<tr>
<td>Section</td>
<td>Page</td>
</tr>
<tr>
<td>------------------------------------------------------------------------</td>
<td>------</td>
</tr>
<tr>
<td>XI. Other United Nations Economic Commission for Europe legal instruments for border crossing facilitation (agenda item 9)</td>
<td>22 7</td>
</tr>
<tr>
<td>XII. Customs Convention on the International Transport of Goods under Cover of TIR Carnets (TIR Convention, 1975) (agenda item 10)</td>
<td>23–46 8</td>
</tr>
<tr>
<td>A. Status of the Convention</td>
<td>23 8</td>
</tr>
<tr>
<td>B. Revision of the Convention</td>
<td>24–35 8</td>
</tr>
<tr>
<td>1. Preparation of Phase III of the TIR revision process</td>
<td>24–26 8</td>
</tr>
<tr>
<td>2. Amendment proposals for the Convention</td>
<td>27–35 9</td>
</tr>
<tr>
<td>C. Application of the Convention</td>
<td>36–46 10</td>
</tr>
<tr>
<td>1. TIR-related electronic data interchange systems</td>
<td>36–37 10</td>
</tr>
<tr>
<td>2. Settlement of claims for payments</td>
<td>38 10</td>
</tr>
<tr>
<td>3. TIR Handbook</td>
<td>39 10</td>
</tr>
<tr>
<td>4. Application of the TIR Convention in a Customs union with a single Customs territory</td>
<td>40 10</td>
</tr>
<tr>
<td>5. Increase in the number of loading and unloading places</td>
<td>42–43 11</td>
</tr>
<tr>
<td>6. TIR Carnets invalidated by the guarantee chain</td>
<td>44 11</td>
</tr>
<tr>
<td>7. Other matters</td>
<td>45–46 12</td>
</tr>
<tr>
<td>XIII. Prevention of the abuse of Customs transit systems by smugglers (agenda item 11)</td>
<td>47 12</td>
</tr>
<tr>
<td>XIV. Other business (agenda item 12)</td>
<td>48–49 12</td>
</tr>
<tr>
<td>A. Dates of the next session</td>
<td>48 12</td>
</tr>
<tr>
<td>B. Restriction on the distribution of documents</td>
<td>49 12</td>
</tr>
<tr>
<td>XV. Adoption of the report (agenda item 13)</td>
<td>50 12</td>
</tr>
</tbody>
</table>
I. Attendance

1. The Working Party (WP.30) held its 127th session from 1 to 4 February 2011 in Geneva. The session was attended by representatives of the following countries: Armenia, Austria, Azerbaijan, Belarus, Belgium, Bulgaria, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iran (Islamic Republic of), Kazakhstan, Kyrgyzstan, Latvia, Lithuania, Republic of Moldova, Netherlands, Norway, Poland, Romania, Russian Federation, Serbia, Slovenia, Spain, Sweden, The former Yugoslav Republic of Macedonia, Turkey, Ukraine, United States of America. Representatives of the European Union (EU) were also present. The following intergovernmental organizations were represented: Economic Cooperation Organization (ECO), United Nations Conference on Trade and Development (UNCTAD), World Customs Organization (WCO). The following non-governmental organizations were represented: the International Road Transport Union (IRU), the International Association for Body and Trailer Building Industry (CLCCCR).

II. Adoption of the agenda (agenda item 1)

Documentation: ECE/TRANS/WP.30/253

2. WP.30 adopted the provisional agenda, prepared by the secretariat (ECE/TRANS/WP.30/253 and Add.1).

III. Opening statement

3. In her opening statement, Ms. Eva Molnar, Director, United Nations Economic Commission for Europe (UNECE) Transport Division, invited delegations to ensure the proper implementation of the Harmonization Convention at the national level as well as to amend it with new provisions which would make it more attractive to countries. She pointed out that the recent geopolitical developments, such as the creation of the Customs Union of Belarus, Kazakhstan and the Russian Federation, called for more efficient tools for transit facilitation and, in particular, modernization of the TIR regime. In this context, she informed WP.30 about the finalization of the strategic TIR study which would soon be submitted for peer review and then presented to the Working Party. She also mentioned the forthcoming sessions of the Inland Transport Committee (ITC) and of UNECE which would be held from 1 to 3 March and from 29 to 31 March 2011, respectively.

IV. Election of officers (agenda item 2)

4. In accordance with the Commission’s rules of procedure and established practice, the Working Party (WP.30) elected Mr. Oleksandr Fedorov (Ukraine) as Chair and Mr. Shahin Bagirov (Azerbaijan) as Vice-Chair for its sessions in 2011.

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

5. The Working Party noted that, on 31 January 2011, UNECE held a forum on inland transport security. WP.30 was also informed of the results of the ITC Bureau (29 and 30
November 2010) and of the meeting of the UNECE Executive Committee (EXCOM, 16 December 2010). In particular, EXCOM underlined the importance of ensuring good governance and financial transparency in the TIR system, inter alia, by means of regular audits.

VI. Activities of other organizations and countries of interest to the Working Party (agenda item 4)

**Documentation:** ECE/TRANS/WP.30/2010/1, ECE/TRANS/WP.30/2010/8

6. The Working Party was informed of a number of recent activities of WCO. The first review of the Framework of Standards to Secure and Facilitate Global Trade (SAFE) since its creation in 2005 was currently being undertaken. Amongst the major issues being considered was the final incorporation of all the United States of America Security filing data elements (‘10 + 2’), a reconsideration of time limits for the submission of advance cargo data at export and further guidance material on mutual recognition of authorized economic operators (AEO). The goal was to finalize a revision of SAFE in time for the WCO Council in June 2011.

7. WP.30 noted that the Administrative Committee for the Customs Convention on Containers, 1972 met in November 2010. The main issues discussed were the Customs treatment of container security devices and electronic seals, the revision of the Container Convention Handbook and a proposal by the International Container Bureau to align Annex 4 of the Container Convention with ISO (International Organization for Standardization) 1496 standard concerning the structural safety requirements. In view of the common Annex that the Container Convention shares with the TIR Convention, it was agreed that a joint action between WCO and UNECE was essential.

8. On the basis of document ECE/TRANS/WP.30/2010/8, the Working Party continued its discussions on the study on the implications of SAFE for the TIR Convention. WP.30 recalled its earlier considerations that the incorporation of the “Advance electronic information” and “Risk management” elements should be achieved within the framework of the eTIR project (ECE/TRANS/WP.30/250, para. 5). The European Union reiterated its position that the implementation of the AEO concept should be ensured in the framework of national and/or regional legislation rather than through amendments to the TIR Convention.

9. The delegation of Kyrgyzstan pointed out the late availability of document ECE/TRANS/WP.30/2010/8 in all working languages which impeded its consideration by national experts. The secretariat regretted this delay and explained that the document had been officially submitted as early as in September 2010, but, due to its length and technical nature, the United Nations Conference Services had only been in a position to finalize its translation in January 2011. In view of this fact, WP.30 decided to revert to the underlying document at its next session. In the interim, the secretariat was requested to further discuss this topic with WCO and to come back to WP.30 with joint proposals.

10. A few delegations reported problems that were encountered by their transport operators when electronically submitting entry summary declarations at the Bulgarian border as of 1 January 2011, due to the fact that the IRU TIR-EPD (electronic pre-declaration) tool could not properly interoperate with the Bulgarian Integrated Customs Information System (BICIS). The representative of the Bulgarian Customs pointed out that the underlying technical problems were being addressed and that the situation was improving. The Working Party called upon all parties concerned, including IRU and the Bulgarian Customs, to find a solution as soon as possible and to report about the progress achieved at the next session of WP.30.
11. WP.30 considered a resolution of the IRU General Assembly on excessive use of X-ray equipment for inspecting commercial road vehicles (Informal document No.1 (2011)). The resolution pointed out that drivers can be increasingly exposed to X-rays and called upon governments to limit the health risks involved. Various delegations recalled strict safety and health requirements that are observed in their countries when using X-ray equipment, in particular, the rule that the exposure of human beings and live animals to X-rays is prohibited. In this context, the representative of WCO invited delegations to study and apply the WCO Guidelines on scanning where all these issues are properly addressed.

12. WP.30 took note of the outcome of the ECO-IRU transit caravan and that the full report on this event would soon be transmitted to UNECE. ECO provided WP.30 with a video which would be published on the UNECE website. ECO also informed of other initiatives aimed at simplifying border crossing requirements for road and rail transport, including visas and Customs transit. ECO had published an updated map that clearly shows rail transit routes in the ECO region, both existing and under construction, which connect East and West Asia. Several copies were circulated at the session. Delegations and international organizations were invited to contact ECO, should they need more copies of the map.

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

A. Status of the Convention

13. The Working Party noted that the Secretary-General of the United Nations, acting in his capacity as depositary, had issued Depositary Notification C.N.552.2010.TREATIES-2 of 31 August 2010, communicating the adoption by the Administrative Committee for the Harmonization Convention of a new Annex 9 on rail border crossing. The new annex will enter into force on 30 November 2011 unless objections are transmitted by Contracting Parties to the United Nations Secretary-General before 31 August 2011.

B. Annex 8 on road transport

Documentation: ECE/TRANS/WP.30/2011/1

14. WP.30 was informed about the final results of the survey concerning the implementation of Annex 8 at the national level (ECE/TRANS/WP.30/2011/11). The survey demonstrated that the responding Contracting Parties were well aware of their obligations under Annex 8 to the Harmonization Convention and had started its implementation. Faster progress was 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, slow progress had been revealed in the areas of visa procedures and the International Vehicle Weight Certificate.

15. Having recalled that monitoring of the implementation of Annex 8 should be conducted on a regular basis, the Working Party was of the view that such monitoring should not necessarily be done by means of questionnaires distributed to competent authorities. Other ways were suggested, for example, surveys of the transport sector and country reports on the progress made in implementing Annex 8. The secretariat was requested to prepare proposals for the next session of WP.30.
C. Harmonization Convention and hinterland connections of seaports

16. The Working Party recalled the report on hinterland connections of seaports (ECE/TRANS/210) and one of its recommendations that WP.30 should consider the possible preparation of a new annex to the Harmonization Convention on border crossing procedures at seaports. WP.30 noted that ports are crucial nodal points for modern supply chains where various modes of transport are brought together and that the scope of the Harmonization Convention encompasses all modes of transport, including maritime and inland waterways. At the same time, the Working Party noted that ITC and its subsidiary bodies, including WP.30, deal with inland transport and might not have the necessary expertise in maritime transport. For this reason, the Working Party felt that, before taking any decision on the preparation of a new annex, extensive consultations with other competent international organizations, both public and private, should be undertaken, such as European Sea Ports Organization (ESPO), International Harbour Organization (IHO), International Maritime Organization (IMO), IRU, International Union of railways (UIC), The Community of European Railway and Infrastructure Companies (CER), Committee of the Organization for Cooperation between Railways (OSJD), Intergovernmental Organisation for International Carriage by Rail (OTIF), International Union of combined Road-Rail transport companies (UIRR), WCO, European Commission, Working Party on Inland Water Transport (SC.3), Working Party on Intermodal Transport and Logistics (WP.24) and national experts. The secretariat was requested to contact these organizations with a view to soliciting their views and possible organization of a consultative meeting.

VIII. International Convention to Facilitate the Crossing of Frontiers for Passengers and Baggage Carried by Rail, of 10 January 1952 (agenda item 6)

Documentation: ECE/TRANS/WP.30/2010/10

17. The Working Party reconsidered document ECE/TRANS/WP.30/2010/10, containing the final draft of a Protocol to the 1952 Convention to Facilitate the Crossing of Frontiers for Passengers and Baggage carried by Rail in the three official UNECE languages, prepared by the secretariat. The representative of the EU informed the meeting that it had finalized its internal consultations and that it could accept the text of the Protocol under the condition that the so-called opt-out clause, allowing any Party opposing an amendment not be bound by it upon its entry into force, as contained in document ECE/TRANS/WP.30/2010/9, would be reinserted. In line with this request, the Working Party agreed to the text of the draft Protocol, subject to the following amendments:

At the end of Article 1, paragraph 4 add the phrase

"In the absence thereof, the amendment shall enter into force with respect to all Parties, except those which have duly notified the Secretary-General of their objection or which, before its entry into force, declare that they do not accept the amendment."

Insert a new paragraph 5, to read as follows

"5. Any Party that has declared that it does object to an amendment adopted in accordance with paragraph 4 of the present Article may at any time thereafter deposit an instrument of acceptance of such amendment with the Secretary-General of the United Nations. The amendment shall enter into force for that State six (6) months after the date of deposit of the said instrument."

18. As a next step, the Working Party requested the secretariat to convey the draft Protocol together with an introductory letter to the competent authorities of the ten
Contracting Parties to the 1952 Convention to seek their consent prior to official distribution of the Protocol by the Secretary-General of the United Nations.

IX. Rail transit (agenda item 7)


X. Customs Conventions on the Temporary Importation of Private Road Vehicles (1954) and Commercial Road Vehicles (1956) (agenda item 8)

A. Status of the Conventions


B. Application of the Conventions

21. WP.30 noted that the International Touring Alliance and the International Automobile Federation (AIT/FIA) was working on the preparation of comments and best practices for the application of the 1956 Convention.

XI. Other United Nations Economic Commission for Europe legal instruments on border crossing facilitation (agenda item 9)

Documentation: ECE/TRANS/WP.30/2011/2

22. The Working Party considered document ECE/TRANS/WP.30/2011/2, prepared by the secretariat at the request of WP.30, which explored the issue of notification of the introduction of International Standard for Phytosanitary Measures No. 15 (ISPM 15) in the context of UNECE legal instruments for border crossing facilitation, in particular, the European Convention on Customs Treatment of Pallets used in International Transport, 1960. WP.30 noted that the ISPM standards can apply on top and irrespective of the 1960 Convention which, in addition, contains no provisions that would require Contracting Parties to exchange information on their introduction. The Working Party agreed that this issue should be dealt with in the framework of the International Plant Protection Convention which is administered by the Food and Agriculture Organization of the United Nations (FAO).
XII. Customs Convention on the International Transport of Goods under Cover of TIR Carnets (TIR Convention, 1975) (agenda item 10)

A. Status of the Convention

23. The Working Party noted that, since its previous session, there had been no changes in the status of the TIR Convention. WP.30 was also informed of the activities of IRU and ECO, in cooperation with the competent national authorities, towards the accession of Pakistan to the TIR Convention and the implementation of the TIR procedure in Afghanistan.

B. Revision of the Convention

1. Preparation of Phase III of the TIR revision process

Use of new technologies

24. WP.30 took note that, since the seventeenth session of the Informal Ad hoc Expert Group on Conceptual and Technical Aspects of Computerization (GE.1) in March 2010, intersessional work on the eTIR project had taken place through the network of eTIR focal points and by means of working meetings with experts. This work, in particular the contributions from Dutch Customs and the working meeting organized by Turkish Customs in Ankara on 19 and 20 October 2010, provided the background information for the documentation of the eighteenth session of GE.1 which is scheduled to take place in Geneva on 9 and 10 March 2011. The annotated provisional agenda is available on the UNECE website in document ECE/TRANS/WP.30/GE.1/2011/1. The meeting will focus on the final updates to Chapter 3, the UN/EDIFACT and XML messages for Chapter 4 as well as the financial aspects of establishing and maintaining of the eTIR international system.

25. In this context, the secretariat informed the Working Party of its activities towards addressing the financial implications of eTIR, in particular, cooperation with the owners of other Information Technologies (IT) systems in the Customs field to study their experiences and initiating the cost/benefit analysis of the introduction of eTIR. The secretariat pointed out that this work was being conducted within the available limited resources and encouraged all delegations to contribute to these activities either by providing expertise or financial support. The delegation of Armenia suggested that the secretariat contact software vendors to obtain preliminary estimates of the eTIR software on the basis of a general technical description of the eTIR project. The secretariat pointed out that, apart from software, hardware and maintenance costs should also be estimated.

26. The Working Party took note of a presentation by the secretariat which highlighted various IT systems used in the framework of the TIR Convention, such as national and regional Customs IT system, international IT systems managed by the TIRExB and IT systems managed by the guarantee chain. WP.30 noted that, in spite of the essential role these systems play in the well functioning of the TIR system, they will not alone allow replacing paper systems and that full computerization will require the introduction of the eTIR international system which will allow for secure exchange of data between Customs as well as the management by Customs of data on guarantees.
2. Amendment proposals for the Convention


27. The Working Party continued its discussions on items (o), (p) and (q) of the proposed new Annex 9, Part III (ECE/TRANS/WP.30/2010/4/Rev.2) which introduce audit requirements for an authorized international organization. WP.30 noted that, in general, the different opinions expressed at the previous session (ECE/TRANS/WP.30/252, paras. 30–34) remained unreconciled.

28. The delegations of Georgia, Kazakhstan and Kyrgyzstan saw no need in the introduction of audit provisions (o), (p) and (q). They stated that they fully trust IRU, as this organization has a long standing reputation in the TIR system, provides transparency and is regularly audited by the world’s leading auditing companies according to Swiss law.

29. The delegations of Belarus, Germany, Netherlands, Russian Federation and the European Union pointed out that the underlying audit provisions are not linked to the issue of trust to IRU, but aim at ensuring transparency and good governance and establishing a solid legal basis that would allow the Contracting Parties to verify, in case of need, how an authorized international organization, not necessarily IRU, uses the privileges and financial tools granted by the authorization.

30. The delegation of Iran (Islamic Republic of) supported transparency and international cooperation, but reiterated its reservation that the adoption of (o), (p) and (q) is premature until the legal and financial implications of the new audit provisions have been studied in detail.

31. IRU reiterated its previous proposal to adopt Annex 9, Part III without (o), (p) and (q). IRU also reconfirmed that it is not against audits as, by virtue of Swiss law, its accounts are in any case subject to external audits, currently by PriceWaterhouseCoopers. Finally, IRU stated that more clarity is needed, notably on the issue of confidentiality of audit results and what to do in case there are inconsistencies between its external audit and the audit by the competent United Nations services.

32. As a possible compromise, some delegations proposed to keep (o) and (q), but to delete either the whole item (p) or, at least, the reference to "other persons duly authorized by the United Nations" therein. It was also suggested that item (r) should be complemented with a deadline for the conclusion of a written agreement.

33. Finally, the Working Party stressed the need make progress in this area and called upon all parties involved to find a compromise wording. As a first step, the secretariat was requested to prepare a document which would summarize and analyze the pros and cons of the introduction of audit provisions. The delegations were invited to provide the secretariat with their views and/or comments by 15 March 2011 at the latest. Armenia as well as some other delegations proposed that a small drafting group with the participation of the secretariat, IRU, EU and other volunteers be established to prepare a compromise proposal for consideration already at the next session of WP.30.

34. The Working Party also discussed amendment proposals to Annex 3 of the TIR Convention, submitted by the European Union (ECE/TRANS/WP.30/2010/12), with the aim to resolve practical problems in using Certificates of Approval when Customs authorities find an approved vehicle to have a major defect and make the appropriate inscription in item No. 10 of the Certificate of Approval. As the space reserved for the text is rather limited, such defect is not always properly described. In addition, the Customs authorities use their own national language and handwriting to report defects. As a result, the carrier or competent authorities in another Contracting Party may not be able to read the inscription. To improve the situation, the European Union proposed to introduce a uniform system of codes to record defects in the Certificate of Approval.
35. WP.30 generally supported these proposals and pointed out that the list of defects in document ECE/TRANS/WP.30/2010/12 may need to be checked for integrity and consistency. Delegations were invited to study this list in detail and to send their comments to the secretariat by 15 March 2011.

C. Application of the Convention

1. TIR-related electronic data interchange systems

36. The Working Party was informed by IRU of the functioning of the IRU SafeTIR system. From 1 January to 31 December 2010, IRU had received 2,712,876 SafeTIR messages with an average transmission delay of 4 days. Seventy-one per cent of messages had been transmitted in real-time (within 24 hours). The Customs administrations of Belarus, Bosnia and Herzegovina, Czech Republic, Estonia, Montenegro, Poland, Romania, Russian Federation, Serbia and Ukraine transmitted data in real-time. In the same period, IRU had issued 7,427 reconciliation requests and had received replies to 3,319 (45 per cent) of them with an average delay of 42 days.

37. WP.30 took note of Informal document No. 2 (2011) and a presentation by IRU which outlined the progress in development, geographical coverage and benefits of various IRU IT tools, including Real Time SafeTIR (RTS) and TIR-EPD, as well as the cooperation with UNCTAD with a view to their inclusion in the Automated SYstem for CUstoms Data (ASYCUDA). In particular, the Working Party noted that RTS had contributed to the minimization of irregularities and that TIR-EPD should further be promoted to scale up its implementation.

2. Settlement of claims for payments

38. The Working Party was informed by IRU of the present situation on the settlement of claims for payments made by Customs authorities against national guaranteeing associations. From 1 January to 31 December 2010, IRU received 2,851 pre-notifications and 1,228 notifications (from all Contracting Parties) as well as 240 payment requests. The number of pending payment requests as of 31 December 2010 amounted to 6,586. In the same period, 101 payment requests had been paid and 339 had been settled without payment.

3. TIR Handbook

39. The Working Party was informed that the 2010 version of the TIR Handbook was available in all six United Nations languages, both electronically and in hard copies.

4. Application of the TIR Convention in a Customs union with a single Customs territory

40. The representatives of Belarus, Kazakhstan and the Russian Federation informed WP.30 of the progress achieved in the preparation of a trilateral agreement on the functioning of the TIR procedure in the Customs union. The only outstanding issue was the applicability of the TIR regime to transport operations undertaken between member States inside the territory of the Customs union, for example, from a Russian seaport to a destination in Kazakhstan or from the Kazakh-Chinese border to a destination in the

---

1 http://tir.unece.org
Russian Federation or Belarus. The Working Party noted that in the European Union the TIR procedure cannot apply to such transports, as there are no internal Customs borders.

41. Pending the finalization of the above agreement, in order to facilitate through transit, the Customs administrations of the three countries had replaced, as of 1 January 2011, Customs clearance of TIR Carnets at the internal borders by their simplified registration. As a result, in all situations only one pair of vouchers No.1/No.2 is required for the TIR operation within the Customs union. Discharge is established by means of EDI messages. The Working Party noted this information and invited the three delegations to provide the secretariat without delay with information about any further changes in the implementation of the TIR regime in the Customs union.

5. Increase in the number of loading and unloading places


42. WP.30 considered document ECE/TRANS/WP.30/2010/11 transmitted by the Government of Turkey, with a proposal to increase the total number of Customs offices of departure and destination from four to eight and to amend the related provisions of the TIR Convention accordingly. The delegation of Turkey pointed out that this proposal is justified by the increasing transport volumes and geographical expansion of the TIR Convention into new regions. According to Turkey, the already available solution to increase the total number of Customs offices of departure and destination by means of using two TIR Carnets consecutively or in parallel is too costly for transport operators. The Working Party also took note of Informal document No. 5 (2010) and a presentation by IRU, which supported the above proposal and demonstrated how the TIR Carnet layout can be modified to incorporate eight Customs offices of departure and destination.

43. The Working Party provided provisional comments on the proposed layout and invited IRU to prepare a blue-print for the next session. At the same time, WP.30 stressed that any modification of the layout can only be introduced once the underlying proposal has been approved. The Working Party was of the view that the arguments presented by Turkey and IRU were not sufficient and invited them to support their proposal with relevant statistical data. Finally, it was decided to revert to this issue at the next session.

6. TIR Carnets invalidated by the guarantee chain

*Documentation:* ECE/TRANS/WP.30/2010/5

44. The Working Party took note of the latest considerations by the TIR Executive Board (TIRExB) with regard to the invalidation by the guarantee chain of TIR Carnets issued to authorized TIR Carnet holders. The TIRExB reiterated its willingness to cooperate with the guarantee chain, but repeated that, as long as there is no internationally recognized mechanism, the guarantee chain will have to accept that, as a rule, all TIR Carnets, issued by national associations and presented for acceptance at the Customs office of departure before or on the final date of validity, are valid. In conclusion of this topic, TIRExB established that there seems to be a divergence between the legal provisions of Articles 3, 6 and 9 which clearly stipulate that TIR Carnets issued by national associations bear a valid guarantee provided they are accepted by Customs before or on the final date of validity set by the association and the practice, where Customs agree to take account of information distributed by IRU through the CuteWise system on invalid and invalidated TIR Carnets in as far as such information has been duly transmitted to the Customs authorities and been properly disseminated at the national level.
7. Other matters

45. The Working Party welcomed a presentation by the representative of CLCCR which highlighted the fundamental differences in the construction of a TIR-approved road vehicle with sliding sheets and a 'regular' curtain-sider. WP.30 stressed that transport operators should be aware of these differences when buying, either new or second-hand, vehicles with sliding sheets for transport of goods under Customs seals.

46. WP.30 noted that, in 2010, IRU had distributed 2,822,200 TIR Carnets. This figure is 27 per cent higher than the one for 2009. A further 16 per cent increase was observed in January 2011. The complete statistics of TIR Carnets distributed in 2010 would be published as an Informal document for the TIR Administrative Committee.

XIII. Prevention of the abuse of Customs transit systems by smugglers (agenda item 11)

47. No information was reported to the Working Party under this agenda item. Customs authorities were encouraged to use the so-called fraud report form (FRF) to share with other Customs administrations any new detection of fraud.

XIV. Other business (agenda item 12)

A. Dates of the next session


B. Restriction on the distribution of documents

49. The Working Party decided that there were no restrictions with respect to the distribution of documents issued in connection with its current session.

XV. Adoption of the report (agenda item 13)

50. The Working Party adopted the report on its 127th session on the basis of a draft prepared by the secretariat.