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Economic Commission for Europe

Inland Transport Committee

Working Party on Customs Questions affecting Transport

134th session

Geneva, 11–14 June 2013

Item 1 of the provisional agenda

Adoption of the agenda

Annotated provisional agenda for the 134th session ^{1,2}

to be held at the Palais des Nations, Geneva, starting at 3.00 p.m. on Tuesday, 11 June 2013

I. Provisional Agenda

1. Adoption of the agenda.
2. Activities of United Nations Economic Commission for Europe bodies and other United Nations organizations of interest to the Working Party.
3. Activities of other organizations and countries of interest to the Working Party:

¹ 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 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 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).

² 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 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/meetings/practical_information/confpart.pdf 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 75975). For a map of the Palais des Nations and other useful information, see website www.unece.org/meetings/practical.htm.

- (a) European Union;
 - (b) Economic Cooperation Organization;
 - (c) EurAsEC Customs Union;
 - (d) World Customs Organization.
4. Terms of Reference and Rules of Procedure of the Working Party.
5. International Convention on the Harmonization of Frontier Controls of Goods, 1982 (“Harmonization Convention”):
- (a) Status of the Convention;
 - (b) Annex 8 on road transport:
 - (i) International Vehicle Weight Certificate;
 - (ii) Outcome of the 2012 UNECE survey;
 - (iii) X-ray scanning certificate.
 - (c) Annex 9 on rail border crossing;
 - (d) 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. 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) Preparation of Phase III of the TIR revision process;
 - (ii) Amendment proposals for the Convention: vehicles with sliding sheets.
 - (c) Application of the Convention:
 - (i) TIR-related electronic data interchange systems;
 - (ii) Settlement of claims for payments;
 - (iii) Application of the TIR Convention in the Customs Union of Belarus, Kazakhstan and the Russian Federation;
 - (iv) Increase in the number of loading and unloading places;
 - (v) Vehicles with sliding sheets;
 - (vi) Other matters.
9. Prevention of abuse of Customs transit systems by smugglers.
10. Round table on using modern technologies to raise efficiency and security of Customs transit procedures.
11. Other business:
- (a) Dates of the next sessions;

- (b) Restriction on the distribution of documents.
12. 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 (ECE/TRANS/WP.30/267).

Documentation

ECE/TRANS/WP.30/267

2. Activities of United Nations Economic Commission for Europe bodies and other United Nations organizations of interest to the Working Party

The Working Party will be informed about the outcome of the seventy-fifth jubilee session of the Inland Transport Committee (ITC) in February 2013 and, in particular, about its high-level policy segment on Euro-Asian transport links and unified railway law. WP.30 will also be briefed on the interim results of the ongoing review of the United Nations Economic Commission for Europe (UNECE) 2005 reform.

3. 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 governmental and non-governmental, and countries as far as they relate to matters of interest to the Working Party.

(a) European Union

At its previous session, the Working Party took note of recent EU activities (Informal document No. 4 (2013)), specifically that, on 1 December 2012, Turkey had acceded to the Common Transit Convention (ECE/TRANS/WP.30/266, para. 6). WP.30 may wish to be informed about further developments in this respect.

(b) Economic Cooperation Organization

WP.30, at its previous session, was informed about a workshop on the Islamabad - Tehran - Istanbul road corridor (Tehran, 4–5 February 2013), bringing together the relevant key stakeholders from the transport industry, Customs and insurance sector, as well as the International Road Transport Union (IRU). The meeting was expected to develop an action plan for facilitating border crossing which would be brought to the attention of the Working Party (ECE/TRANS/WP.30/266, para. 7). Against this background, WP.30 may wish to take note of Informal document No. 6 (2013) transmitted by ECO.

Documentation

Informal document No. 6 (2013)

(c) **EurAsEC Customs Union**

In the framework of this sub-item, the Working Party will be informed about activities of the Eurasian Economic Commission (EEC) and progress in the implementation of the EurAsEC Customs Union.

(d) **World Customs Organization**

The Working Party will be informed about activities of the World Customs Organization (WCO) as far as they relate to matters of interest to WP.30, in particular about the outcome of the 4th meeting of the Administrative Committee for the Customs Convention on Containers (8–9 April 2013).

4. Terms of Reference and Rules of Procedure of the Working Party

At its 132nd session, the Working Party considered document ECE/TRANS/WP.30/2012/5/Rev.1 by Iran (Islamic Republic of), containing revised proposals for modifying the draft Terms of Reference (ToR) of WP.30 (ECE/TRANS/WP.30/2011/10). WP.30 delivered preliminary remarks, also of a linguistic nature, and suggested that these remarks be incorporated into the document. Delegations were invited, once translations would become available, to study the proposals and submit their comments to the secretariat for consolidation (ECE/TRANS/WP.30/264, para. 4). In line with the above request, the secretariat has issued the proposals by Iran (Islamic Republic of) as document ECE/TRANS/WP.30/2012/5/Rev.2 in all working languages. WP.30 is invited to consider this document, as well as comments to it which may be transmitted by delegations.

WP.30, at its 132nd session, also had a brief exchange of views on the draft Rules of Procedure, as prepared by the secretariat in document ECE/TRANS/WP.30/2012/2, as well as modifications proposed by Iran (Islamic Republic of) in Informal document No. 14 (2012). The delegation of Iran (Islamic Republic of) highlighted its most important proposals: giving the full membership to non-ECE member States which are Contracting Parties to international conventions dealt with by WP.30, highlighting the role of member States, taking decisions by consensus, preparing balanced and factual reports and introducing a rotation mechanism for the position of Chair. The Working Party decided to continue its discussions and requested the secretariat to re-issue Informal document No. 14 (2012) as an official document in all languages. (ECE/TRANS/WP.30/264, para. 5). Following this request, the secretariat has re-issued the proposals by Iran (Islamic Republic of) as document ECE/TRANS/WP.30/2013/1 for consideration at the present session.

The Working Party may also wish to continue its discussion of the proposal by Iran (Islamic Republic of) to abolish the June session of WP.30 and to leave only WP.30 meetings held in conjunction with the TIR Administrative Committee in February and October (ECE/TRANS/WP.30/264, para. 6).

Documentation

ECE/TRANS/WP.30/2011/10, ECE/TRANS/WP.30/2012/2, ECE/TRANS/WP.30/2013/1, ECE/TRANS/WP.30/2012/5/Rev.2

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 Depositary Notifications is available on the UNECE website.³

(b) Annex 8 on road transport

Under this agenda item, delegations are invited to inform the Working Party about various activities conducted at the national level with the aim to facilitate road transport and, in particular, to transmit country reports outlining major achievements and setbacks in border crossing facilitation.

(i) International Vehicle Weight Certificate

At the previous session, WP.30 considered a proposal by Ukraine to complement the International Vehicle Weight Certificate (IVWC) form, as laid down in Annex 8, with a box indicating the weight of an empty vehicle (ECE/TRANS/WP.30/2013/3). According to the delegation of Ukraine, such a box would make it possible to determine the weight of cargo which is essential for Customs purposes, in particular for risk assessment. The weight of an empty vehicle could be taken from its certificate of registration (technical passport). A number of delegations supported this proposal and reported that their Customs authorities had a database on weights of empty vehicles of different makes and manufactures, to avoid any possible falsification of this figure. In this context, WP.30 also noted that in many countries road transport controls had been delegated to the Customs administration. Finally, the Working Party decided to continue its discussion at the present session (ECE/TRANS/WP.30/266, para. 17).

WP.30 may also wish to recall reports by the delegations of Belarus and Kazakhstan on the use of the IVWC in their countries (ECE/TRANS/WP.30/266, para. 13). In this context, the Working Party will be informed about the activities of the Organization of the Black Sea Economic Cooperation (BSEC) to launch a pilot project on introducing an IVWC in the BSEC region (Informal document No. 7 (2013)).

Documentation

ECE/TRANS/WP.30/2013/3, Informal document No. 7 (2013)

(ii) Outcome of the 2012 UNECE survey

At its previous session, the Working Party was informed about the current status of replies to the UNECE questionnaire on monitoring the progress in implementing Annex 8 and urged all Contracting Parties that had not yet responded to the survey to do so as soon as possible (ECE/TRANS/WP.30/266, para. 14). Following that session, the secretariat processed the replies and published the results as document ECE/TRANS/WP.30/2013/7, which WP.30 is invited to consider.

Documentation

ECE/TRANS/WP.30/2013/7

³ www.unece.org/trans/bcf/welcome.html

(iii) X-ray scanning certificate

WP.30, at its previous session, considered document ECE/TRANS/WP.30/2013/6 by IRU, containing proposals to introduce the so-called “International Vehicle/Container X-ray Scanning Certificate” into the Harmonization Convention, in order to avoid repetitive X-ray inspections at border crossings. Representatives of the road transport industry pointed out numerous and often unjustified, in their opinion, scans that trucks must undergo at some borders. Delegates from Customs argued that non-intrusive examinations, such as X-ray scans, were recommended by the WCO SAFE Framework of Standards and had become an indispensable tool for ensuring security of the global supply chain and combating terrorism. They also highlighted the need of strict observance of X-ray equipment operating instructions for health protection. The Working Party agreed that a careful balance should be struck between public security requirements, on the one hand, and facilitation of transport and trade, on the other. WP.30 also felt that the added value of the proposed X-ray certificate, introducing another paper document to the ones already required, should be assessed — also in comparison with possible alternatives, for example, marking of existing documents with a special stamp. Finally, WP.30 invited delegations to consider the proposals by IRU, taking into consideration the relevant technical aspects as well as statistics of X-ray scans, and decided to revert to this issue at the present session (ECE/TRANS/WP.30/266, paras. 15 and 16).

Documentation

ECE/TRANS/WP.30/2013/6

(c) Annex 9 on rail border crossing

At its previous session, WP.30 noted that the Working Party on Rail Transport (SC.2), at its session in November 2012, had approved an implementation mechanism for Annex 9 (ECE/TRANS/SC.2/2012/6) and requested the secretariat to prepare and distribute to Contracting Parties a questionnaire identifying the current situation at rail border crossings in the ECE region and then to prepare a background document — action plan based on the replies to the questionnaire (ECE/TRANS/WP.30/266, para. 18). The Working Party will be informed of progress in this area, including the activities of the Organization for Cooperation between Railways (OSJD).

Documentation

ECE/TRANS/SC.2/2012/6

(d) Border performance measurement and the Harmonization Convention

At its previous session, the Working Party considered document ECE/TRANS/WP.30/2013/4 prepared by the secretariat with the objective of presenting a set of options for introducing systematic benchmarking and performance indicators into the Harmonization Convention, as a tool for monitoring its implementation of the Harmonization Convention. Given the complexity of the subject, WP.30 decided to revert to it at the next session and invited delegations to study the proposals and to transmit to the secretariat their comments by the end of April 2013 (ECE/TRANS/WP.30/266, para. 20). The Working Party will be informed about the contributions received and is invited to continue its consideration of the issue.

Documentation

ECE/TRANS/WP.30/2013/4

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

The Working Party, at its previous session, took note that OSJD member States were still considering the possible accession to the Convention and drafting a new Convention in this field (ECE/TRANS/WP.30/266, para. 22). WP.30 will be informed about new developments, if any.

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

The Working Party is invited to consider several issues in the implementation of the Customs Conventions on the Temporary Importation of Private (1954) and Commercial (1956) Road Vehicles, as reported by the International Touring Alliance and the International Automobile Federation (AIT/FIA).

8. 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 in the number of Contracting Parties. More detailed information on these issues as well as on various Depositary Notifications is available on the TIR website.⁴

(b) Revision of the Convention

(i) Preparation of Phase III of the TIR revision process

Use of new technologies

WP.30 will be briefed on further developments of the eTIR project, including the outcome of the twenty-second session of the Ad hoc Expert Group on Conceptual and Technical Aspects of Computerization of the TIR Procedure (GE.1) (30–31 May 2013), the Cost Benefit Analysis (CBA) of eTIR, the Pilot Project between Italy and Turkey as well as progress within the United Nations Development Account (UNDA) project: “Strengthening the capacities of developing countries and countries with economies in transition to facilitate legitimate border crossing, regional cooperation and integration”.

The Working Party will also be informed that ITC, at its February 2013 session, supported the continuation of the eTIR Project and the prolongation of the GE.1 mandate to the year 2013 and invited WP.30 to develop a business plan to implement the eTIR project and urged it to start working on the legal aspects of computerization of the TIR procedure without delay. This request corresponds with the WP.30 view, expressed at its previous session that the GE.1 work should be complemented by WP.30 considerations of legal and policy aspects of eTIR (ECE/TRANS/WP.30/266, para. 24).

In line with the ITC and WP.30 considerations, the secretariat has prepared first draft proposals on legal and policy options on how eTIR could be implemented (ECE/TRANS/WP.30/2013/8). The Working Party is invited to discuss this document and provide guidance on which option(s) should be pursued.

⁴ www.unece.org/tir/tir-depositary_notification.html.

Documentation

ECE/TRANS/WP.30/2013/8

(ii) Amendment proposals for the Convention: vehicles with sliding sheets

At its previous session, the Working Party welcomed a live demonstration of a semi-trailer with sliding sheets and a sliding roof arranged by the International Association of the Body and Trailer Building Industry (CLCCR) at the United Nations premises in Geneva. WP.30 found its construction to be generally Customs secure and agreed that this new design of vehicles with sliding sheets could be incorporated into Annexes 2 and 7 of the Convention, subject to several rectifications. At the same time, the Working Party felt that the underlying amendment proposals (ECE/TRANS/WP.30/2012/6/Rev.2) could be further streamlined, in particular, by taking into account very similar provisions already contained in Article 4 of Annex 2 and in Article 5 of Annex 7, part I. The secretariat, CLCCR and other delegations concerned were requested to cooperate on this issue with the objective to submit rectified amendment proposals to the present session (ECE/TRANS/WP.30/266, para. 35). In this context, the Working Party may wish to consider revised amendment proposals, as contained in document ECE/TRANS/WP.30/2012/6/Rev.3.

Documentation

ECE/TRANS/WP.30/2012/6/Rev.2

(c) Application of the Convention**(i) 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.

(ii) 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. As reported at the previous session, IRU may provide data on claims in a new format covering several recent years.

(iii) Application of the TIR Convention in the Customs Union of Belarus, Kazakhstan and the Russian Federation

At its previous session, the Working Party was informed about the progress in preparing an intergovernmental agreement on the functioning of the TIR procedure in the Customs Union, in particular about the efforts to reach a common position on the issue whether or not the TIR procedure can apply to internal transports of foreign goods under Customs control between two offices located in different member States without crossing the territory of third countries. WP.30 also noted the readiness of the international guarantee chain to cover such operations, already today and both for TIR transports inside the Customs Union as well as even within a single country. The secretariat introduced Informal document No. 5 (2013) which analysed several key provisions of the TIR Convention in the context of international law and came to the conclusion that their current wording does not seem to allow for a clear-cut interpretation in case of Customs Unions with no internal Customs borders. To give new Customs Unions the necessary flexibility to adapt the use of

the TIR procedure to their economic and political needs, the secretariat proposed several options on how to amend Article 2. One option, if adopted, would allow for the use of the TIR procedure in a single country. WP.30 welcomed the efforts by the secretariat and decided to consider these proposals in detail at the next session. In the interim, the secretariat was requested to issue Informal document No. 5 (2013) as an official document in all working languages and include an option to apply provisionally a selected amendment pending its entry into force (ECE/TRANS/WP.30/266, paras. 31–32).

In line with the above request, the secretariat has issued document ECE/TRANS/WP.30/2013/9 which the Working Party is invited to consider.

Documentation

ECE/TRANS/WP.30/2013/9

(iv) Increase in the number of loading and unloading places

At the previous session, a number of delegations spoke in favour of increasing the number of places of loading and unloading from four to eight and highlighted the advantages of this proposal for the road transport industry, in particular, in view of continuously increasing amounts of consolidated cargo (so-called groupage) transported under the TIR procedure and the competition with other transit systems, like the New Computerized Transit System (NCTS), which do not contain such restrictions. The delegation of EU stated that it would be ready to reconsider its position, provided that the TIR guarantee level was increased and/or the HS codes of goods were indicated on the TIR Carnet. The delegation of Belarus was prepared to support increasing the number of loading and unloading places on the condition that the full guarantee coverage of the Customs duties and taxes at stake is ensured in cases where the maximum guarantee level per TIR Carnet is exceeded (ECE/TRANS/WP.30/266, para. 34). Against this background, WP.30 may wish to continue its discussion.

(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.

9. Prevention of abuse of Customs transit systems by smugglers

Under this agenda item, the Working Party may wish, on a restricted basis, to exchange views concerning any special cases, devices and facilities used to abuse the TIR transit system.

10. Round table on using modern technologies to raise efficiency and security of Customs transit procedures

In accordance with its programme of work for the years 2012–2016 (ECE/TRANS/WP.30/2011/12, item 1), WP.30 should "review Conventions and Agreements on border crossing facilitation under the auspices of the Working Party in order to ensure their relevance and proper implementation as well as ... *to keep them in line with modern transport and border control requirements*". In line with this goal, delegations are invited to take part in a one-day round table on using modern technologies to raise efficiency and security of Customs transit procedures, for example, electronic seals, GPS tracking, IT-solutions, non-intrusive examinations, etc., that would be held in the

framework of the present session on 13 June 2013. The provisional agenda of the round table will be circulated as Informal document No. 8 (2013).

Documentation

Informal document No. 8 (2013)

11. 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 135th session to be held in the week of 30 September – 4 October 2013.

(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.

12. Adoption of the report

In accordance with established practice, the Working Party will adopt the report on its 134th 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.
