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## Economic Commission for Europe

### Inland Transport Committee

#### Working Party on Customs Questions affecting Transport

##### 135th session

Geneva, 1–4 October 2013

Item 1 of the provisional agenda

##### Adoption of the agenda

### Annotated provisional agenda for the 135th session <sup>1,2</sup>

to be held at the Palais des Nations, Geneva, starting at 3.00 p.m. on Tuesday, 1 October 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.

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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 UNECE Transport Division (Fax: +41-22-917-0039; e-mail: [wp.30@unece.org](mailto:wp.30@unece.org)). Documents may also be downloaded from the UNECE 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).

<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 UNECE website: [www.unece.org/trans/conventn/legalinst.html#customs](http://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](http://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](mailto: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](http://www.unece.org/meetings/practical.htm).

3. Activities of other organizations and countries of interest to the Working Party:
  - (a) European Union;
  - (b) Economic Cooperation Organization;
  - (c) EurAsEC Customs Union;
  - (d) World Customs Organization.
4. 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.
5. International Convention to Facilitate the Crossing of Frontiers for Passengers and Baggage carried by Rail, of 10 January 1952.
6. Customs Conventions on the Temporary Importation of Private Road Vehicles (1954) and Commercial Road Vehicles (1956).
7. 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 to the Convention: Vehicles with sliding sheets;
    - (iii) Amendment proposal to the TIR Convention: Use of the TIR procedure in a Customs Union with a single Customs territory or in a single country;
    - (iv) Amendment proposals to the Convention: Audit requirements for an authorized international organization.
  - (c) Application of the Convention:
    - (i) TIR-related electronic data interchange systems;
    - (ii) Settlement of claims for payments;
    - (iii) Increase in the number of loading and unloading places;
    - (iv) TIR Handbook;
    - (v) Other matters.
8. Prevention of abuse of Customs transit systems by smugglers.
9. Round table on using modern technologies to raise efficiency and security of Customs transit procedures.

10. Terms of Reference and Rules of Procedure of the Working Party.
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.30/269).

#### **Documentation**

ECE/TRANS/WP.30/269

### **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 activities of the Inland Transport Committee (ITC), its Bureau, subsidiary bodies and other United Nations organizations on matters of interest to the Working Party.

### **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 intergovernmental 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 that, following the accession of Turkey to the Common Transit Convention in December 2012, the use of NCTS (New Computerized Transit System) in Turkey had steadily improved and had stabilized, to the satisfaction of EU and Turkish authorities. It also noted that, on 1 July 2013, Croatia would join EU (ECE/TRANS/WP.30/268, para.6). WP.30 may wish to be informed about further developments in the European Union.

#### **(b) Economic Cooperation Organization**

At its previous session, the Working Party noted that the TIR system should be reactivated in Afghanistan in December 2013 and that the Government of Pakistan had started internal procedures for Pakistan's accession to the TIR Convention. The Working Party was also extensively informed about the ongoing work to launch the Islamabad – Tehran – Istanbul (ITI) road corridor for which TIR had been selected as a transit system. WP.30 welcomed this initiative, stressed its importance and invited delegations, UNECE and IRU to assist the Economic Cooperation Organization (ECO) in implementing the TIR pilot project along the ITI road corridor (ECE/TRANS/WP.30/268, para.7). Further information on this project will be presented at the current session.

#### **(c) EurAsEC Customs Union**

At the previous session, the Eurasian Economic Commission informed the Working Party about the development of the Customs legislation and further integration in the Customs Union (ECE/TRANS/WP.30/268, para.8). WP.30 may wish to be informed about further

progress in these areas, in particular about the final stages of preparing the intergovernmental agreement on the functioning of the TIR procedure in the Customs Union.

**(d) World Customs Organization**

At its previous session, the Working Party was informed about the Economic Competitiveness Package (ECP) (Informal document No. 11 (2013)) as well as about the outcome of the April 2013 meeting of the Administrative Committee for the Customs Convention on Containers (Informal document No. 10 (2013)) (ECE/TRANS/WP.30/268, paras.13 and 14). Against this background, WP.30 will be informed about recent activities of the World Customs Organization (WCO) as far as they relate to matters of interest to WP.30.

**4. 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 UNECE website.<sup>3</sup>

**(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 held an in-depth discussion of the proposal by Ukraine to introduce a new box "Weight of empty vehicle" into the International Vehicle Weight Certificate (IVWC) form, as laid down in Annex 8 (ECE/TRANS/WP.30/2013/3). Without objecting to this proposal, various delegations pointed out that a wide range of technical and practical issues would need, first, to be studied before taking a final decision to amend the Convention, for example, how to take into account the weight of fuel in the vehicle tanks, possible change of weight due to weather conditions, repairs, different tires, etc. The main purpose of such considerations would be to ensure that the proposed amendment, if adopted, would not make the situation worse for drivers and transport companies. The Working Party invited delegations to inform the secretariat, prior to the next session, about all relevant issues that they came across at the national level (ECE/TRANS/WP.30/268, para.21). WP.30 will take note of new contributions received and will continue its discussion.

**Documentation**

ECE/TRANS/WP.30/2013/3

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<sup>3</sup> [www.unece.org/trans/bcf/welcome.html](http://www.unece.org/trans/bcf/welcome.html)

**(ii) Outcome of the 2012 UNECE survey**

The Working Party, at its previous session, was informed about the outcome of the UNECE survey to monitor the progress in implementing Annex 8 (ECE/TRANS/WP.30/2013/7). With regard to future surveys, the Working Party felt that the secretariat should ask countries to only report on new developments occurring since the previous survey (ECE/TRANS/WP.30/268, para.22). Against this background, the Working Party is invited to provide guidance on the timeframe and content of the next survey.

**Documentation**

ECE/TRANS/WP.30/2013/7

**(iii) X-ray scanning certificate**

WP.30, at its previous session, continued its discussion of document ECE/TRANS/WP.30/2013/6 by IRU, containing proposals to introduce the so-called "International Vehicle/Container X-ray Scanning Certificate". Representatives of Customs administrations pointed out that this would not waive their right to scan any vehicle, should this be justified by risk assessment. As risk factors may change in the course of a transport operation, one and the same vehicle may be scanned several times during its journey. The Working Party agreed that non-intrusive examinations, such as X-ray scans, which were recommended by the WCO SAFE Framework of Standards, should always take place on the basis of risk assessment. WP.30 also pointed out that joint controls and shared use of equipment by neighbour countries at border crossings would not only facilitate transport by reducing the number of scans, but could also substantially reduce governmental expenditures on buying expensive scanners. The representative of WCO pointed out that scanned images produced by different scanners are not directly comparable and, therefore, sharing them among Customs administrations would not necessarily bring benefits to Customs. In terms of drivers' health, he informed WP.30 about the existence of safe scanners that pose no health risks, if the operating instructions are observed. Finally, WP.30 decided to revert to this issue at the present session (ECE/TRANS/WP.30/268, para. 23).

**Documentation**

ECE/TRANS/WP.30/2013/6

**(c) Annex 9 on rail border crossing**

The Working Party will be informed about the activities of UNECE, Intergovernmental Organization for International Carriage by Rail (OTIF) and the Organization for Cooperation between Railways (OSJD) aimed at facilitating the implementation of Annex 9 at the national level.

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

At its 133rd 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 and invited delegations to study the proposals and to transmit to the secretariat their comments (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

## **5. 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, noted that OSJD member States supported the idea of drafting a new convention in this field, rather than acceding to the outdated 1952 Convention (Informal document No. 12 (2013)). Before embarking on a time- and resource-consuming process of drafting a new convention, WP.30 decided to verify if the competent authorities were indeed, interested in developing a new legal instrument. Countries were invited to inform the secretariat accordingly. In addition, the Working Party decided to study if other international legal instruments in force already contained provisions to facilitate crossing of frontiers for passengers and baggage carried by rail (ECE/TRANS/WP.30/268, para. 26). On this basis, WP.30 will continue its considerations.

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

The Working Party, at its previous meeting, took note of Informal document No. 9 (2013) by the International Touring Alliance and the International Automobile Federation (AIT/FIA), endorsed the AIT/FIA's proposal to include a barcode in CPD (Carnets de Passages en Douane) and confirmed that the barcode would conform to the standard contained in Annex 1 of the Conventions. WP.30 also supported the AIT/FIA pilot project for an electronic CPD database system and urged the concerned Contracting Parties to take part in it. Finally, the Working Party called upon Contracting Parties to transmit to the Secretary-General of the United Nations a proposal for amending the Convention, in order to allow the Carnets de Passages en Douane used within a specific region to be printed in combinations of United Nations official languages other than English and French (ECE/TRANS/WP.30/268, para. 27). WP.30 will be informed about any follow-up actions in this regard.

## **7. Customs Convention on the International Transport of Goods under Cover of TIR Carnets (TIR Convention, 1975)**

### **(a) Status of the Convention**

The Working Party may wish to recall that the proposals to amend Article 6.2 bis and Annex 9 of the Convention will enter into force on 10 October 2013, unless the Secretary-General has received any objection to the proposed amendments not later than by 10 July 2013 (C.N.358.2012.TREATIES-XI.A.16). By the date of finalization of the present agenda is finalized (9 July 2013), the secretariat had not been made aware of any objections.

The Working Party will also 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 is available on the TIR website.<sup>4</sup>

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<sup>4</sup> [www.unece.org/tir/tir-depositary\\_notification.html](http://www.unece.org/tir/tir-depositary_notification.html).

**(b) Revision of the Convention****(i) Preparation of Phase III of the TIR revision process***Use of new technologies*

At its previous meeting, the Working Party took note of 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) as presented orally by its vice-Chair. The full report of this session is now submitted to the Working Party for endorsement (ECE/TRANS/WP.30/2013/10).

WP.30, at its previous session, also took note that GE.1 had extensively discussed the results of the Cost Benefit Analysis (CBA), its summary and its assessment in order to prepare recommendations. The CBA summary document has been reproduced for consideration and possible endorsement by the Working Party (ECE/TRANS/WP.30/2013/11).

At its previous meeting, WP.30 took note of document ECE/TRANS/WP.30/2013/8 containing an analysis of various legal options on introducing eTIR, but regretted that it was not available in all official languages. WP.30, thus, decided to postpone its discussions to the next session. Some delegations provided preliminary views, highlighting, for example, that the choice — between amending the TIR Convention, establishing a protocol or preparing a new convention — is a strategic issue and that the substantive legal provisions, to be included in any of those options, need to be considered in parallel. WP.30 also recalled that the concepts described in the eTIR Reference Model, such as the transition between TIR and eTIR, should also be taken into account while discussing the eTIR legal aspects. It also pointed out that the impact of the various options on national legislation, in particular Customs legislation, may need consideration (ECE/TRANS/WP.30/268, para. 32). Bearing in mind the above background, the Working Party is invited to resume its considerations of document ECE/TRANS/WP.30/2013/8.

Finally, WP.30 will be briefed on further developments in 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”.

**Documentation**

ECE/TRANS/WP.30/2013/8, ECE/TRANS/WP.30/2013/10, ECE/TRANS/WP.30/2013/11

**(ii) Amendment proposals to the Convention: Vehicles with sliding sheets**

At its previous session, WP.30 considered a revised document ECE/TRANS/WP.30/2012/6/Rev.3 as well as Informal document No. 13 (2013) in which International Association of the Body and Trailer Building Industry (CLCCR) proposed to delete, due to technical difficulties, several additional requirements introduced by the secretariat in document ECE/TRANS/WP.30/2012/6/Rev.3. The delegation of Belarus pointed out some linguistic errors in the Russian text of this document and also felt that additional photographs and/or sketches of some key elements of a vehicle with a sliding roof would need to be included in the amendment proposals. WP.30 invited Belarus to contact CLCCR directly with a view to indicating which places and units of construction would require additional description, photographs and/or sketches. Finally, the Working Party requested the secretariat to issue a revised document for the present session which would take on board the comments made by CLCCR in Informal document No. 13 (2013), linguistic changes as well as any new photographs and sketches to be developed by CLCCR



(ECE/TRANS/WP.30/268, para. 33). In this context, the Working Party may wish to consider revised amendment proposals, as contained in document ECE/TRANS/WP.30/2012/6/Rev.4.

#### **Documentation**

ECE/TRANS/WP.30/2012/6/Rev.4

#### **(iii) Amendment proposal to the TIR Convention: Use of the TIR procedure in a Customs Union with a single Customs territory or in a single country**

At its 133rd session, the Working Party was informed 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 134th session (ECE/TRANS/WP.30/266, paras. 31–32).

At its previous session, WP.30 also took note of document ECE/TRANS/WP.30/2013/9 issued by the secretariat on the basis of Informal document No. 5 (2013), containing several options on how to amend Articles 2 and 48. In view of the late availability of this document in all languages, the Working Party decided to postpone its consideration to the present session (ECE/TRANS/WP.30/266, para. 37).

#### **Documentation**

ECE/TRANS/WP.30/2013/9

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

At its previous session, the secretariat, supported by EU, proposed to resume the considerations of audit requirements for an authorized international organization (the so-called provisions o, p and q) which were extensively discussed in 2010–2011 as part of a new Annex 9, part III of the TIR Convention, but were not included at that time into the package of adopted amendment proposals. Several delegations and IRU were not in favour of this proposal and pointed out that they had not been made aware of developments which would justify reopening this debate and that any new argument put forward would require careful consideration at the national level prior to its discussion by the Working Party. WP.30 agreed to have a preliminary exchange of views on this issue under "Other business", but did not have a chance to do that due to lack of time (ECE/TRANS/WP.30/268, para. 3). Against this background, the Working Party may wish to recall its earlier document ECE/TRANS/WP.30/2011/6 with a summary of various opinions expressed by delegations to see which new elements could be brought into the discussion.

#### **Documentation**

ECE/TRANS/WP.30/2011/6

(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.

(iii) **Increase in the number of loading and unloading places**

At the 133rd 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.

(iv) **TIR Handbook**

The Working Party will be informed about the activities of the secretariat to issue an updated edition of the TIR Handbook in various languages.

(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.

**8. 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.

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

At its previous session, the Working Party welcomed the holding of a one-day round table on using modern technologies to raise efficiency and security of Customs transit procedures

(ECE/TRANS/WP.30/266, para. 41). The outcome of the round table is now issued as document ECE/TRANS/WP.30/2013/12 for consideration by WP.30. In particular, the Working Party is invited to explore if the conventions and agreements on border crossing facilitation under the auspices of WP.30 would benefit from amendments explicitly allowing for the use of modern technologies such as electronic seals, GPS tracking, non-intrusive examinations, etc.

#### **Documentation**

ECE/TRANS/WP.30/2013/12

## **10. Terms of Reference and Rules of Procedure of the Working Party**

At its previous session, the Working Party considered proposals by Iran (Islamic Republic of) for modifying the draft Terms of Reference (ToR) of WP.30 (ECE/TRANS/WP.30/2012/5/Rev.2) and decided to continue the discussion at its next sessions.

The secretariat drew the attention of WP.30 to the proposed footnote in ToR, which would give non-member countries of ECE full membership at sessions of WP.30, and was of the view that, for efficient consideration of the draft Terms of Reference and Rules of Procedure as well as of the modifications proposed by Iran (Islamic Republic of), the Working Party needed to decide first on the status of non-ECE member States which are Contracting Parties to the legal instruments under the auspices of WP.30.

Given the lack of a harmonized approach among various ITC Working Parties and different views expressed by delegations as well as in order not to set a precedent, the delegation of Germany, supported by EU member States, proposed to ask ITC for guidance on how to tackle this issue in a coordinated way in view of the ECE decision on the outcome of the review of the 2005 reform of ECE (E/ECE/1468, Annex III). In the interim, delegations were invited to study the Rules of Procedure of UNECE (E/ECE/778/Rev.5)<sup>5</sup> and its subsidiary bodies, so as to be prepared for continuing this discussion at the present session.

The European Union and its member States also requested the secretariat to ensure that any discussion on mandates, terms of references, rules of procedure and membership rights be brought to the attention of the Executive Committee of UNECE before coming to any final conclusions about the respective subsidiary bodies (ECE/TRANS/WP.30/266, paras. 15–18 and 44).

Against this background, the Working Party is invited to continue its discussions on the issue.

#### **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, E/ECE/1468, E/ECE/778/Rev.5

## **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 136th session to be held in the week of 3–7 February 2014.

<sup>5</sup> [www.unece.org/oes/nutshell/mandate\\_role.html](http://www.unece.org/oes/nutshell/mandate_role.html)

**(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 135th 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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