



**Economic and Social
Council**

Distr.
GENERAL

TRANS/2002/11
11 December 2001

Original: ENGLISH

ECONOMIC COMMISSION FOR EUROPE

INLAND TRANSPORT COMMITTEE
(Sixty-fourth session, 18-21 February 2001,
agenda item 18 (b))

CUSTOMS QUESTIONS AFFECTING TRANSPORT

International Convention on the Harmonization of Frontier Controls of Goods, 1982

IRU report on problems of international carriers at CIS internal and external borders

Transmitted by the International Road Transport Union (IRU)

The Committee may wish to take note the summary of the IRU report on problems of international carriers at CIS internal and external borders.

Note: This paper is reproduced in the form in which it was received by the secretariat.

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RESULTS OF AN IRU SURVEY 2001

Problems of international carriers at CIS internal and external borders

Executive Summary^{1/}

Background

International goods transport by road is one of the economically soundest and most convenient ways of cargo delivery in cross-border trade exchanges and, for many cargo categories, it is the only one which allows door-to-door delivery.

But all the advantages of international road haulage can be reduced to a minimum and the actors of foreign economic activities can incur major losses if various barriers to road transport at state borders prevail.

In order to analyse these barriers, a Special Working Group of the IRU Liaison Committee to the Commonwealth of Independent States (CIS) was established in the year 2000. The task was to study in detail carriers' problems when crossing CIS internal borders (borders between the CIS member countries) and external ones (borders between the CIS member countries and other countries).

Barrier categories

Information received from national associations of international road carriers of the CIS member countries show their special concern regarding problems related to the delays at borders due to the following types of control:

- *Customs control;*
- *Visa control;*
- *Checking of individual kinds of cargo and compliance with vehicle technical standards;*
- *Control of transport permits.*

In general, great concern was expressed as to the need to *increase control efficiency* with a simultaneous acceleration of border-crossing procedures.

^{1/} Further details of the survey are available from Mr. A. Shmelev, IRU Permanent delegation in Moscow.

TIR Convention not observed

As regards customs control at the borders, in the opinion of several associations, the customs of their states do not fully observe either the provisions of the TIR Convention or the requirements of national legislation.

Violations are as follows:

- Regular examination of cargoes carried according to the TIR system at the borders;
- Excessive use of convoying;
- Demands for additional documents;
- Referring carriers to non-existing warehouses for temporary storage.

Besides, the control technologies used by the customs authorities are not always efficient because, in a number of countries, there is neither any differentiation in customs handling nor physical separation of road trains as a function of the type of cargo carried and the system of customs transit used.

In some cases, the national legislation contradicts international law; in numerous cases, the detailed examination of cargoes affects 20% of the total number of road trains passing.

Joint controls – hope for the future

One of the means to speed up customs procedures is customs control carried out jointly by the authorities of the two sides of the border. This efficient way of handling controls has been introduced only in a few countries, e.g. at the internal border between Moldova and Ukraine and the external borders between Belarus and Poland, Russia and Finland, Ukraine and Poland.

Ever-changing rules

The highly desirable stability of customs regulations is a prerequisite for efficiency for international carriers.

Unfortunately, in a majority of CIS countries, customs authorities change these regulations too often and this naturally creates enormous difficulties for carriers. This phenomenon is due to a certain extent to customs authorities trying to adapt to rapidly evolving market conditions in the CIS economy. True, customs regulations should quickly follow the changing situation. This cannot, however, explain the all too frequent changes which are impossible for the transport industry to follow.

No co-operation between control authorities

Frontier-guards sometimes re-examine cargo after customs officers. This is due to an apparent mistrust of customs officers on the part of frontier guards and, at the same time, this testifies to the absence of co-operation between different national control bodies.

Visa – a hidden queue and a paper-wall away from the borders

A number of associations presented their proposals for the simplification of visa regulations for professional drivers. The most important ones are the following:

Introduction of multiple visas (for a term of minimum one year) for professional drivers (in particular those using ECMT multilateral transport permits);

Introduction of a special passport for professional drivers similar to the seamen's passport;

Possibility for professional drivers to obtain entry visas directly at the border.

The implementation of these proposals would also facilitate the work of control bodies at the borders.

A unique weight certificate is missing

Concerning the checking of vehicle technical standards, a number of associations note the existing practice of repeated weighing and frequent as well as unexplainable differences between the measurement figures of scales in Belarus, Russia and Ukraine for the same road train; the existence in Kazakhstan of varying tariffs for national and foreign carriers for vehicles with excess dimensions and over-weight. An international weight certificate (under discussion by the UNECE in Geneva) acknowledged by countries of the CIS region would facilitate a solution to this problem.

Other controls – fewer difficulties

Sanitary and phyto-sanitary controls do not pose a problem, but some associations propose that border crossings provide a list of cargoes subject to such controls. They also request a round-the-clock service.

No problems have been reported regarding the control of transport permits.

Corruption is taboo

As regards *actual instances* of corruption on the part of control bodies at borders, practically no association gives any information and only one reports that corruption occurs “practically everywhere”. It seems difficult to answer such a delicate question and not a single fact was presented, though many carriers do experience cases of extortion at borders.

Low motivation, poor organization and infrastructure

There is a general view that the transport industry witnesses a low level of interest of control personnel in an efficient organization of work at borders. However, similarly to the issue of corruption, no facts evidencing the lack of interest on the part of control officers in organising their daily activities more efficiently were reported.

The border infrastructure of internal crossings between CIS member countries does not correspond to the volume of international transport. This is partly understandable, though not acceptable, because some of the border points were installed not long ago and they are equipped to use the simplest possible control technology.

The equipment and the availability of qualified personnel leave much to be desired.

As regards the external crossings, the majority have been operating for over a decade and carriers have fewer problems. But even these points do not suit the volume of traffic passing through because of low through-put capacity resulting in many hours and sometimes even days of delay. Certain cases of delays up to 5-10 days mean that the given crossing does not work properly or at all.

Commercial structures appear at crossings or in their direct vicinity. They do not often provide any useful service to the carriers and are just parasites living on the drivers’ back. These are e.g. “commercially organised” parking areas with unrealistically high charges, invented obligations of additional insurance and even the imposition of convoying.

Survey results tested in the field

In summer 2001, three groups of experts visited a number of road border crossings of the CIS member countries in order to review the actual situation, namely at border sections between Kazakhstan and Uzbekistan, Ukraine and Moldova, Russia and Belarus as well as Belarus and Poland. The results of these visits fully confirm the conclusions of the survey.
