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Economic Commission for Europe**Inland Transport Committee****Working Party on Customs Questions affecting Transport****144th session**

Geneva, 11–14 October 2016

Item 1 of the provisional agenda

Adoption of the agenda**Annotated provisional agenda for the 144th session^{1, 2}**

to be held at the Palais des Nations, Geneva, starting at 10.00 a.m. on Tuesday, 11 October 2016, finishing at 1.00 p.m. on Wednesday 12 October 2016 and resuming on Friday 14 October 2016 at 10.00 a.m., Room XII, Palais des Nations

I. Provisional agenda

1. Adoption of the agenda.

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 ECE Sustainable Transport Division (Fax: +41-22-917-0039; e-mail: wp.30@unece.org). Documents may also be downloaded from the ECE Border Crossing Facilitation website www.unece.org/trans/bcf/welcome.html. During the meeting, documents may be obtained from the UNOG Documents Distribution Section (Room C.337, third floor, Palais des Nations).

Delegates are requested to register online at: www2.unece.org/uncdb/app/ext/meeting-registration?id=Amc6Wp or to complete the registration form available from www.unece.org/meetings/practical_information/confpart.pdf and to transmit it to the ECE secretariat, at the latest one week prior to the session, either by fax (+41-22-917-0039) or by e-mail (wp.30@unece.org). Prior to the session, delegates who do not hold a long-term access badge should obtain an identification badge at the UNOG Security and Safety Section, located at the Pregny Gate (14, Avenue de la Paix). In case of difficulty, please contact by telephone the ECE secretariat (internal extension 75975). For a map of the Palais des Nations and other useful information, see website www.unece.org/meetings/practical.htm.

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 ECE website: www.unece.org/trans/conventn/legalinst.html#customs.

2. Activities of United Nations Economic Commission for Europe (UNECE) bodies and other United Nations organizations of interest to the Working Party.
3. Customs Convention on the International Transport of Goods under Cover of TIR Carnets (TIR Convention, 1975):
 - (a) Status of the Convention;
 - (b) Revision of the Convention:
 - (i) Amendment proposals to the Convention;
 - (ii) Preparation of Phase III of the TIR revision process.
 - (c) Application of the Convention:
 - (i) New developments in the application of the Convention;
 - (ii) TIR-related electronic data interchange systems;
 - (iii) Settlement of claims for payments;
 - (iv) Relation between the World Trade Organization Trade Facilitation Agreement, the TIR Convention and other legal instruments;
 - (v) Other matters.
4. International Convention on the Harmonization of Frontier Controls of Goods, 1982 (“Harmonization Convention”):
 - (a) Status of the Convention;
 - (b) Proposals for a new Annex 10 on sea ports.
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. Activities of other organizations and countries of interest to the Working Party:
 - (a) European Union;
 - (b) Economic Cooperation Organization;
 - (c) Eurasian Economic Union;
 - (d) World Customs Organization;
 - (e) Bureau International des Containers et du Transport Intermodal.
8. Other business:
 - (a) Dates of the next sessions;
 - (b) Restriction on the distribution of documents.
9. Adoption of the report.

II. Annotations

1. Adoption of the agenda

In accordance with the Commission's rules of procedure, the first item to be considered is the adoption of the agenda.

Documentation

ECE/TRANS/WP.30/287

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

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

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

(a) Status of the Convention

The Working Party will be informed about any changes in the status of the Convention and the number of Contracting Parties. More detailed information on these issues as well as on depositary notifications is available on the TIR website.³

(b) Revision of the Convention

(i) Amendment proposals to the Convention

The Working Party may wish to recall that, at its previous session, it had decided to first await the outcome of further assessment by the TIR Executive Board (TIRExB) of the consequences of full guarantee coverage before reverting to proposals amend Article 8, para. 3 to replace “shall determine” by “shall be entitled to determine” (see ECE/TRANS/WP.30/286, paras. 19–20).

On that basis, the Working Party decided, at its previous session, to limit its discussions to the text of Explanatory Note 0.8.3. Unable to reach consensus, the Working Party requested the secretariat to prepare a new document elaborating (a) proposals to amend the text of the Explanatory Note with the amounts of 100,000 euros for the regular TIR Carnet and 400,000 for the Tobacco/Alcohol TIR Carnet, and (b) proposals to delete the second part of the Explanatory Note, while adjusting the reference amounts mentioned therein (see ECE/TRANS/WP.30/286, paras. 21–22).

Further to this request, the secretariat prepared document ECE/TRANS/WP.30/2016/13.

The Working Party may wish to recall that, at its previous session, it took note of preliminary considerations by the International Road Transport Union (IRU) to reintroduce

³ www.unece.org/tir/tir-depositary_notification.html

the Tobacco/Alcohol TIR Carnet for certain alcohol produces on a pilot basis. IRU was requested to further elaborate its proposals, including the possible level of the guarantee amount for such transports and report back to the Working Party at the current session (see ECE/TRANS/WP.30/286, para. 23).

At the previous session, the delegation of the Russian Federation requested the secretariat to provide its considerations on the decision of IRU in 1994 to stop the printing and distribution of Tobacco/Alcohol TIR Carnets as well as if the current wording of Article 8, para. 3 already accords Contracting Parties the possibility not to set a maximum for the recommended guarantee amount (see ECE/TRANS/WP.30/286, para. 23).

Further to this request, the secretariat prepared document ECE/TRANS/WP.30/2016/14.

The Working Party, not able to reach consensus on a proposal to amend Article 20 (replacing “country” by “Contracting Party”), felt further discussions were needed to reach a decision on the appropriate way of amending the article and, in particular, its implementation in Customs Unions. Therefore, the Working Party requested the secretariat to include these proposals in a revised document for further discussion at the next session. Furthermore, the Working Party was of the view that further information and assessment would be necessary for the treatment of the phrase “minimum conditions and requirements” throughout the text of the Convention and particularly in Article 6, paragraph 1. The Working Party requested the secretariat to include, in the revised document any additional information that may assist discussions and decided to revert to this issue at the current session (see ECE/TRANS/WP.30/286, para. 25).

To assist discussions, the secretariat prepared document ECE/TRANS/WP.30/2016/15 for consideration by the Working Party

The Working Party is invited to continue its discussions.

Documentation

ECE/TRANS/WP.30/2016/13, ECE/TRANS/WP.30/2016/14,
ECE/TRANS/WP.30/2016/15

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

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

(a) the ECE/IRU eTIR Pilot Project between Iran (Islamic Republic of) and Turkey as pilot countries; and

(b) progress in the implementation of the United Nations Development Account project: “Strengthening the capacities of developing countries and countries with economies in transition to facilitate legitimate border crossing, regional cooperation and integration”.

Under this agenda item the Working Party will be orally briefed about the outcome of the twenty-sixth session of the Informal Ad hoc Expert Group on Conceptual and Technical Aspects of Computerization of the TIR Procedure (GE.1), which was held on 19–20 September 2016, in Geneva.

Under this agenda item the Working Party will be invited to endorse document ECE/TRANS/WP.30/GE.2/4, containing the report of the second session of the Group of Experts on the Legal Aspects of Computerization of the TIR Procedure (GE.2), which took place on 4–5 April 2016 in Geneva.

Documentation

ECE/TRANS/WP.30/GE.2/4

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

The Working Party may wish to recall its extensive discussions, at previous sessions, on the measures introduced by national competent authorities that affected the implementation of the TIR procedure (ECE/TRANS/WP.30/270, paras. 19–30, ECE/TRANS/WP.30/272, paras. 37–43, ECE/TRANS/WP.30/274, paras. 26–30, ECE/TRANS/WP.30/276, paras. 13–19, ECE/TRANS/WP.30/278, paras. 23–27; ECE/TRANS/WP.30/280, paras. 16–24, ECE/TRANS/WP.30/282, paras. 20–22; ECE/TRANS/WP.30/284, paras. 23–27; ECE/TRANS/WP.30/286, paras. 34–35).

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

(ii) TIR-related electronic data interchange systems

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

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

(iii) Settlement of claims for payments

The Working Party may wish to be informed by customs authorities and IRU about the current situation on the settlement of claims for payments made by customs authorities against national guaranteeing associations. In particular, the Working Party may wish to take note of corrections in relation to the claims statistics from Iran (Islamic Republic of).

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

Under this agenda item, the secretariat will brief the Working Party on developments in the field of the World Trade Organization Trade Facilitation Agreement (WTO TFA) and activities of the secretariat to promote the linkages between transport, customs and trade facilitation within the framework of WTO TFA.

(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 IRU. Under this agenda item, the Working Party may wish to be briefed by IRU on the latest developments in the recent allegations against IRU and its management, if any.

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 Depositary Notifications are available on the ECE website.

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

The Working Party may wish to recall that, at its previous session, in order to streamline its activities under this agenda item, it had agreed to revisit document ECE/TRANS/WP.30/2015/21, with the original draft text and to put, for now, document ECE/TRANS/WP.30/2015/21/Rev.1 with various changes and comments by Ukraine, the Eurasian Economic Commission (EEC) and the Federation of National Associations of Ship Brokers and Agents (FONASBA) aside. At the session, the Working Party also took note of Informal document WP.30 (2016) No. 5 by the International Maritime Organization (IMO) and Informal document WP.30 (2016) No. 10 by the European Commission. The Working Party further took note of further comments by various delegations, including a proposal by the delegation of Azerbaijan to amend the text of Article 1 para. 1 and requested the secretariat to review all of them and use them as a basis to prepare a new draft in the three official languages, for consideration of the Working Party at its next session. In view of the plethora of procedures at seaports, the secretariat was also requested to particularly address the issue of single-window when preparing the updated draft. On that basis the Working Party would then decide if the draft was sufficiently developed to start consultations with other stakeholders (see ECE/TRANS/WP.30/286, paras. 44–49).

Further to this request, the secretariat prepared document ECE/TRANS/WP.30/2016/16 for consideration by the Working Party.

At the previous session, the Working Party urged all Contracting Parties to the TIR Convention to engage in national consultations and be ready, at the present session, to provide a well-balanced position whether or not to pursue this activity. Delegations are invited to come to the session duly prepared.

Documentation

ECE/TRANS/WP.30/2016/16

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

The Working Party may wish to recall that, at its 142nd session, it took note of document ECE/TRANS/WP.30/2016/5, containing a revised draft of a new convention on the facilitation of border crossing procedures for passengers, luggage and load–luggage carried in international traffic by rail, as prepared by an informal group, and of document ECE/TRANS/WP.30/2016/6, containing a comparative analysis between the existing legal instruments and the new draft Convention (see ECE/TRANS/WP.30/284, paras. 41–42).

At its 142nd session, the Working Party further took note of Informal document WP.30 (2016) No. 10 by the European Commission and Informal document WP.30 (2016) No. 11 by Belarus, containing comments on the draft text. The Working Party took note of further comments by delegations, in addition to the written comments received prior to the session and requested the secretariat to prepare a new draft in the three original languages, for consideration of the Working Party at the current session.

In addition, the Working Party took note that the informal group of experts, which had prepared the original draft and which would conduct its next session on 12–13 July 2016⁴, would also review all raised comments and, in parallel, prepare a revised draft. The Working Party requested that the revised draft by the secretariat be available on time, so that the informal group could take it into due account at its July 2016 session (see ECE/TRANS/WP.30/286, paras. 50–53).

⁴ Note by the secretariat: the meeting was later postponed to 26–27 July 2016.

Further to this request, the secretariat prepared document ECE/TRANS/WP.30/2016/17 for consideration by the Working Party.

The Working Party may wish to recall that, at its seventy-eighth session, ITC, inter alia, had invited WP.30 and the Working Party on Rail Transport (SC.2) to organize an ad hoc meeting in 2016 in cooperation with all interested ITC participants and relevant stakeholders in order to finalize the draft of the Convention and, eventually consider the development of a compendium of good practices for future adoption by ITC and opening for signature by interested countries and to report to the ITC session of 2017 on the progress achieved (see also ECE/TRANS/254, para. 95). In this context, the Working Party took note of a letter by the Russian Railways in support of this ITC decision. However, the Working Party considered that its internal discussions were not yet developed to an extent that would warrant the organization of such joint ad hoc session with SC.2. The Working Party delegated the Chair or the secretariat to report progress on this issue to SC.2 at its 2016 annual session and to ITC at its 2017 session. At the same time, the Working Party agreed that it would revert to the organization of an ad hoc meeting at a future session depending on the progress made in drafting the new Convention (ECE/TRANS/WP.30/286, para. 54).

The Working Party is invited to revert to this issue at the current session.

Documentation

ECE/TRANS/WP.30/2016/17

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

The Working Party will be informed about the status of the Customs Conventions on the Temporary Importation of Private (1954) and Commercial (1956) Road Vehicles. In addition, the International Touring Alliance and the International Automobile Federation will report on several issues in implementing these Conventions, in particular new security features in the Carnet de Passage en Douane (CPD) and the status of the automated CDP distributions system, as contained in document ECE/TRANS/WP.30/2016/18.

Documentation

ECE/TRANS/WP.30/2016/18

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

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

(a) European Union

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

(b) Economic Cooperation Organization

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

(c) **Eurasian Economic Union**

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

(d) **World Customs Organization**

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

(e) **Bureau International des Containers et du Transport Intermodal**

The Working Party may wish to be informed about recent activities of the Bureau International des Containers et du Transport Intermodal (BIC), such as the International Maritime Organization (IMO) SOLAS mandatory container weight verification requirements, which entered into force on 1 July 2016, and the launch of a BIC Technical Characteristics Database (TCD), which, once populated, will offer shippers, forwarders and other intermediaries a single database to obtain to tare weight of containers.

8. 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 145th session to be held from 14 to 17 February 2017.

(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.

9. Adoption of the report

In accordance with established practice, the Working Party will adopt the report on its 144th 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.
