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Economic Commission for Europe

Inland Transport Committee

Working Party on Customs Questions affecting Transport

129th session

Geneva, 4–7 October 2011

Item 1 of the provisional agenda

Adoption of the agenda

Annotated provisional agenda for the 129th session^{1, 2}

to be held at the Palais des Nations, Geneva, starting at 10.00 a.m. on Tuesday, 4 October 2011

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.

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, missing 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>.

3. Activities of other organizations and countries of interest to the Working Party.
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;
 - (c) Harmonization Convention and hinterland connections of seaports.
5. International Convention to Facilitate the Crossing of Frontiers for Passengers and Baggage carried by Rail, of 10 January 1952.
6. Rail transit.
7. Customs Conventions on the Temporary Importation of Private Road Vehicles (1954) and Commercial Road Vehicles (1956)
8. Other United Nations Economic Commission for Europe legal instruments on border crossing facilitation.
9. 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.
 - (c) Application of the Convention:
 - (i) TIR-related electronic data interchange systems;
 - (ii) Settlement of claims for payments;
 - (iii) TIR Handbook;
 - (iv) Application of the TIR Convention in a Customs union with a single Customs territory;
 - (v) Increase in the number of loading and unloading places;
 - (vi) Other matters.
10. Prevention of the abuse of Customs transit systems by smugglers.
11. Programme of work and biennial evaluation
12. Other business:
 - (a) Dates of the next sessions;
 - (b) Restriction on the distribution of documents.
13. 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.30/257).

Documentation

ECE/TRANS/WP.30/257

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 of the results of relevant sessions of the Inland Transport Committee (ITC), its subsidiary bodies and other United Nations bodies and organizations as far as they relate to matters of interest to the Working Party.

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

The Working Party may wish to be informed about recent activities by the World Customs Organization (WCO), the European Commission (DG TAXUD), the Economic Cooperation Organization (ECO) 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.

4. International Convention on the Harmonization of Frontier Controls of Goods, 1982 (“Harmonization Convention”)

(a) Status of the Convention

The Working Party may wish to recall that the Secretary-General of the United Nations, acting in his capacity as depositary, has 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 (UN) Secretary-General before 31 August 2011.

(b) Annex 8 on road transport

Under this agenda item, delegations are encouraged to inform the Working Party about various activities conducted at the national level with the aim to facilitate road transport. In particular, at its previous session, WP.30 invited all Contracting Parties to transmit, on a periodic basis, country reports outlining major achievements and setbacks in border crossing facilitation. Contracting Parties and the United Nations Economic Commission for Europe (UNECE) were also invited to further promote the International Vehicle Weight Certificate (IVWC), for example, by disseminating experiences of countries that already accept such Certificates and have authorized weighing stations (ECE/TRANS/WP.30/256, paras. 13 and 14).

The Working Party will also be informed of the preparation of the OSCE³-UNECE Handbook on best practices at border crossings.

(c) **Harmonization Convention and hinterland connections of seaports**

The Working Party may wish to recall that it requested the secretariat to contact competent international organizations and solicit their views on the possible preparation of a new annex to the Harmonization Convention on border crossing procedures at seaports (ECE/TRANS/WP.30/254, para. 16). Following this request, in July 2011, the secretariat transmitted to various stakeholders a standard letter which is reproduced in Informal document No. 7 (2011). WP.30 will be informed about the replies received.

Documentation

Informal document No. 7 (2011)

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

At its previous session, the Working Party was briefed on progress made towards the formal acceptance of a Protocol to the International Convention to Facilitate the Crossing of Frontiers for Passengers and Baggage Carried by Rail, 1952, which would introduce amendment clauses to the said Convention. The secretariat informed WP.30 that the text of the protocol had now been transmitted to the Ministers of Foreign Affairs of all ten Contracting Parties to the 1952 Convention asking for their tentative approval of the text by 31 July 2011 (Informal document No.6 (2011) and ECE/TRANS/WP.30/256, para. 16). WP.30 will be informed of any further developments concerning this issue.

6. Rail transit

The Working Party will be informed of new developments concerning the Convention on International Customs Transit Procedures for the Carriage of Goods by Rail under Cover of Agreement on International Goods Transport by Rail (SMGS) Consignment Note, if any.

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

At its previous session, WP.30 noted that the International Touring Alliance and the International Automobile Federation (AIT/FIA) had finalized the preparation of comments and best practices for the application of the 1956 Convention which would be transmitted to the current session of WP.30 for adoption (ECE/TRANS/WP.30/256, para. 19). Against this background, the Working Party may wish to consider document ECE/TRANS/WP.30/2011/8 by AIT/FIA.

Documentation

ECE/TRANS/WP.30/2011/8

³ Organization for Security and Co-operation in Europe

8. Other United Nations Economic Commission for Europe legal instruments on border crossing facilitation

The Working Party may wish to discuss the implementation of any UNECE Conventions on border crossing facilitation, in order to assess their coherence with other international or regional treaties and to keep them in line with modern transport and border control requirements.

9. 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 of changes in the status of the TIR Convention, if any.

(b) Revision of the Convention

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

Use of new technologies

The Working Party will be orally informed of the latest developments concerning the eTIR project, in particular about the outcome of the nineteenth session of the Informal Ad hoc Expert Group on Conceptual and Technical aspects of Computerization of the TIR Procedure (GE.1) (Belgrade, 13 and 14 September 2011).

At its previous session, WP.30 decided to postpone to its next session the endorsement of version 3.0 of the eTIR Reference Model (ECE/TRANS/WP.30/2011/4), due to the absence of the Russian and French translation. The Working Party also considered the proposal to amend the Reference Model, as contained in document ECE/TRANS/WP.30/2011/5, and noted that the eTIR focal points did not share a common view on its technical viability. Consequently, WP.30 requested GE.1 to study the proposal further and resubmit it after finalization of its considerations (ECE/TRANS/WP.30/256, para. 23). Against this background, the Working Party may wish to continue its discussions on documents ECE/TRANS/WP.30/2011/4 and ECE/TRANS/WP.30/2011/5.

The Working Party also recalled that all documentation on eTIR is reflected in the eTIR Reference Model, a comprehensive document of more than 500 pages. Because of its volume, a first-time reader may not easily grasp the substance and main objectives of eTIR. To facilitate this task, the secretariat was requested to prepare, for information purposes, a short document outlining the essence and goals of the eTIR project (ECE/TRANS/WP.30/256, para. 23). In line with this request, the secretariat has prepared document ECE/TRANS/WP.30/2011/9.

WP.30, at its previous session, noted that Serbia, Turkey and UNCTAD had substantially contributed to the cost estimation of the future eTIR international system and that the UNECE secretariat had contacted other organizations dealing with related Information Technologies (IT) systems, such as European Union (EU), WCO and International Road Transport Union (IRU), in order to obtain additional information. WP.30 encouraged all delegations to contribute to these activities either by providing expertise or financial support (ECE/TRANS/WP.30/256, para. 24). The Working Party will be informed of any new inputs received.

Documentation

ECE/TRANS/WP.30/2011/4, ECE/TRANS/WP.30/2011/5, ECE/TRANS/WP.30/2011/9

(ii) Amendment proposals for the Convention*a. Introduction of a new Annex 9, part III*

At its previous session, the Working Party considered document ECE/TRANS/WP.30/2011/6 which contained various contributions regarding items (o), (p) and (q) of the proposed new Annex 9, Part III (ECE/TRANS/WP.30/2010/4/Rev.2) which introduces audit requirements for an authorized international organization. Following an exchange of views on the above document, WP.30 noted that some contributors proposed alternative texts for (o), (p) and (q), while some others suggested that these items be deleted. The Working Party first felt that, under these circumstances, it does not seem feasible to reach a compromise wording, for example, by means of a drafting group. However, various delegations declared that they are committed to seeking a consensus and ready to adjust their positions, taking into account document ECE/TRANS/WP.30/2011/6 and new arguments raised during the discussion. The Working Party welcomed these statements and requested the secretariat to prepare, for consideration at its next session, a consolidated document with various alternatives for (o), (p) and (q). The secretariat would also include in this document suggestions for further improvement of a few other paragraphs of the proposed Annex (ECE/TRANS/WP.30/256, paras. 26 and 27). Following the above request, the secretariat has issued another revision of the underlying amendment proposals under document symbol ECE/TRANS/WP.30/2010/4/Rev.3 which WP.30 is invited to consider.

Documentation

ECE/TRANS/WP.30/2010/4/Rev.2, ECE/TRANS/WP.30/2011/6,
ECE/TRANS/WP.30/2010/4/Rev.3

b. Amendment proposals to Annex 3

At the previous session, the Working Party considered document ECE/TRANS/WP.30/2011/7 containing various comments on the proposals by the European Union to amend the TIR Convention, 1975 with a code system to report defects in load compartments of vehicles used for the TIR procedure (ECE/TRANS/WP.30/2010/12). WP.30 requested the secretariat to, first, consult with the European Commission to address the comments submitted to the draft list and, as a second step, to seek the advice of technical experts for the purpose of preparing a final code list. The secretariat was requested to submit the results of this review in the form of an example of best practice for consideration to AC.2, together with proposals how to amend the legal text of the Convention (ECE/TRANS/WP.30/256, para. 28). WP.30 will be informed about follow-up activities by the secretariat.

Documentation

ECE/TRANS/WP.30/2010/12, ECE/TRANS/WP.30/2011/7

(c) Application of the Convention**(i) TIR-related electronic data interchange systems**

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

Under this agenda item, WP.30 may also wish to be informed about the functioning of various national and international TIR-related EDI systems.

(ii) Settlement of claims for payments

The Working Party may wish to be informed by Customs authorities and IRU of the present situation on the settlement of claims for payments made by Customs authorities against national guaranteeing associations.

(iii) TIR Handbook

The 2010 version of the TIR Handbook has been published on the TIR website in Arabic, Chinese, English, French, Russian and Spanish.

Documentation

2010 TIR Handbook⁴

(iv) Application of the TIR Convention in a Customs union with a single Customs territory

At its previous session, WP.30 noted that the member States of the Customs Union of Belarus, Kazakhstan and the Russian Federation had different opinions on the issue whether or not the TIR procedure can apply to domestic transports of goods under Customs control between two Customs offices of member States of the Customs Union without crossing the territory of third countries and under the condition that the Customs union is a single Customs territory without Customs controls effected at the internal borders. The Working Party was of the opinion that this is an internal dispute of the Customs Union and called upon its member States to find a solution and inform WP.30 accordingly (ECE/TRANS/WP.30/256, paras. 34–36). The Working Party may wish to be informed about further progress in this matter.

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

At its previous session, WP.30 noted the statistical data presented by the delegation of Turkey to justify its 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. Some delegations stated that they would need to study these statistics further, prior to taking any decision on the proposal by Turkey. The Working Party also noted that, for its next session, IRU would prepare a blueprint to address technical issues of increasing the total number of offices to eight (ECE/TRANS/WP.30/256, para. 38). Against this background, WP.30 may wish to revert to the underlying issue.

Documentation

ECE/TRANS/WP.30/2010/11, Informal document No. 5 (2010)

(vi) 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.

10. Prevention of the abuse of Customs transit systems by smugglers

As in the past, 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.

⁴ <www.unece.org/tir/tir-hb.html>.

The Working Party has, at its previous sessions, invited all Contracting Parties to the TIR Convention, 1975, and the WCO to transmit all relevant information on such cases so that it could take the necessary steps, falling within its competence and mandate, to prevent such occurrences (TRANS/WP.30/127, paras. 55–57).

11. Programme of work and biennial evaluation

At its previous session, WP.30 noted that, as part of the first review of the ECE reform adopted in December 2005, the Economic Commission for Europe requested the Sectoral Committees and their subsidiary bodies to review their terms of reference and programmes of work which should now be prepared in line with a new template. The Working Party noted that the secretariat would prepare the necessary documents for consideration at the present session (ECE/TRANS/WP.30/256, para. 5). In this regard, WP.30 is invited to consider and possibly endorse documents ECE/TRANS/WP.30/2011/10 and ECE/TRANS/WP.30/2011/11 containing, respectively, draft terms of reference and programme of work of WP.30.

Documentation

ECE/TRANS/WP.30/2011/10, ECE/TRANS/WP.30/2011/11

12. 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 already made arrangements for the 130th session to be held in the week of 6–10 February 2012.

(b) Restriction on the distribution of documents

The Working Party should decide whether or not there shall be any restrictions with respect to the distribution of documents issued in connection with its current session.

13. Adoption of the report

In accordance with established practice, the Working Party will adopt the report on its 129th 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.
