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Economic Commission for Europe

Inland Transport Committee

Working Party on Customs Questions affecting Transport

141st session

Geneva, 6–9 October 2015

Item 1 of the provisional agenda

Adoption of the agenda

Annotated provisional agenda for the 141st session^{1, 2}

to be held at the Palais des Nations, Geneva, starting at 10.00 a.m. on Tuesday,
6 October 2015, Room VII

I. Provisional agenda

1. Adoption of the agenda.
2. Activities of United Nations Economic Commission for Europe (UNECE) 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, 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 register online at: www2.unece.org/uncdb/app/ext/meeting-registration?id=iDkFIH or to complete the registration form available from 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. 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;
 - (iii) Amendment proposals to the Convention: Audit requirements for an authorized international organization.
 - (c) Application of the Convention:
 - (i) New developments in the application of the Convention;
 - (ii) The application of Article 45 of the Convention;
 - (iii) TIR-related electronic data interchange systems;
 - (iv) Settlement of claims for payments;
 - (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;
 - (c) 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. 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.
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.30/281

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. 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 various 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 continued its considerations of documents ECE/TRANS/WP.30/2014/17 and ECE/TRANS/WP.30/AC.2/2014/14, transmitted by the Government of the Russian Federation and containing various proposals to amend the TIR Convention, in combination with document ECE/TRANS/WP.30/2015/1/Rev.1–ECE/TRANS/WP.30/AC.2/2015/7/Rev.1, consolidating comments by various Contracting Parties on the proposals made by the Russian Federation. The Working Party held extensive discussions on the proposals and decided, in summary, to continue discussing proposals under (e) and (k) (ii) at its next session and to discuss a proposal by the Government of Ukraine to amend Article 6 with a new paragraph ter (see also ECE/TRANS/WP.30/280, paras. 6–8).

The outstanding proposals are:

(a) To replace in Article 3 (b) the term “approved” by “authorized by the Contracting Parties.

At its previous session, the Working Party considered document ECE/TRANS/WP.30/2015/9, containing an assessment by the secretariat on the use of the

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

terms “approved” and “authorized” throughout the text of the Convention. While some delegations questioned the urgency of discussing amendment proposals of a linguistic or procedural nature, the Working Party provisionally agreed that the proposal to replace the term “approved” in Article 3 (b) as well as in Article 6, paragraph 2, for the sake of creating consistency in terminology applied throughout the Convention, merits closer examination and requested the secretariat to prepare a new document with concrete proposals to this effect for consideration at its next session (see ECE/TRANS/WP.30/280, para. 6 (e)). To this end, the secretariat prepared document ECE/TRANS/WP.30/2015/17 for consideration of the Working Party.

(b) To amend Article 18, increasing the number of loading and unloading places from four to eight.

As diverging opinions on this issue continued to exist, the Working Party, in an effort to find a workable compromise, requested IRU to submit a document for consideration at the next session, providing its risk assessment of the increase in the number of places of loading and unloading from four to eight, together with the position of the international guarantee chain. In addition, Contracting Parties were invited to submit their views on the matter to the secretariat, not later than 15 July 2015, for consideration at the next session of the Working Party (see ECE/TRANS/WP.30/280, para. 6 (k) (ii)). On this basis, the Working Party is invited to consider document ECE/TRANS/WP.30/2015/18 submitted by IRU and ECE/TRANS/WP.30/2015/19 by the secretariat.

(c) In document ECE/TRANS/WP.30/2015/15, the Government of Ukraine proposes to amend Article 6, with a new paragraph 2 ter to read as follows: “If guaranteeing associations no longer comply with the [minimum]⁴ conditions and requirements laid down in Article 6 and in Annex 9, Part I [of this Convention], the international organization authorized by the Administrative Committee under [Article] 6 2 bis of the Convention to take on the responsibility for the effective organization and functioning of an international guarantee system may suspend the issuance of TIR Carnets to them and also the guarantee of TIR Carnets issued to them”. The Working Party may wish to consider this proposal.

Finally, at the previous session, the Working Party reverted to its discussions on the proposal to amend Annex 9, Part I, para. 7, line 2, replacing “Contracting Parties” by “Contracting Party”. The Working Party considered that such an amendment was of a purely editorial nature, as it would not make any change to the meaning or scope of the current text of paragraph 7. To achieve full editorial alignment of the text of the TIR Convention in the three languages, Contracting Parties were invited to submit proposals for editorial amendments to the secretariat, not later than 15 July 2015, for separate consideration by the Working Party at its next session (see ECE/TRANS/WP.30/280, para. 6 (h)). Based on proposals by Contracting Parties, the secretariat prepared document ECE/TRANS/WP.30/2015/20 for consideration by the Working Party.

Documentation

ECE/TRANS/WP.30/2014/14, ECE/TRANS/WP.30/AC.2/2014/17, ECE/TRANS/WP.30/2015/1/Rev.1–ECE/TRANS/WP.30/AC.2/2015/7/Rev.1, ECE/TRANS/WP.30/2015/15, ECE/TRANS/WP.30/2015/17, ECE/TRANS/WP.30/2015/18, ECE/TRANS/WP.30/2015/19, ECE/TRANS/WP.30/2015/20

⁴ Square brackets inserted by the secretariat.

(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, the Working Party will be informed about:

- (a) progress in the eTIR Pilot Project between Italy and Turkey;
- (b) the UNECE/IRU eTIR Pilot Project between Iran (Islamic Republic of) and Turkey as pilot countries; and
- (c) 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 also be informed about the preparations for the first session of the Group of Experts on the Legal Aspects of Computerization of the TIR Procedure (GE.3), which will take place on 16–17 November 2015, in Geneva.

(iii) Amendment proposals to the Convention: Audit requirements for an authorized international organization

At its previous session, the Working Party took note of document ECE/TRANS/WP.30/2015/11, prepared by the secretariat in collaboration with IRU and, in particular, the proposals in paras. 25–26 to amend Annex 8, Article 1 *bis* with new paragraphs 4 and 5 and Annex 9, Part III, paragraph 2 with new items (o), (p) and (q). Further to substantial discussions, the Working Party requested the secretariat to revise the document based on the comments received from Contracting Parties and decided to revisit this issue again at the current session (see ECE/TRANS/WP.30/280, para. 15 and Annex I). Further to this request, the Working Party is invited to consider document ECE/TRANS/WP.30/2015/11/Rev.1 by the secretariat in collaboration with IRU.

Documentation

ECE/TRANS/WP.30/2015/11/Rev.1

(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 the 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).

On 10 June 2015, the Federal Customs Service of the Russian Federation announced on its website that the guarantee agreement with the Association of International Road Transport Carriers (ASMAP) had been restored and that a list of border crossing points which are open for TIR operations had been established. The list, published on 18 June 2015, contains thirty-four border-crossing points with Azerbaijan, Estonia, Finland, Georgia, Latvia, Lithuania, Mongolia, Norway, Poland and Ukraine.

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

(ii) Application of Article 45 of the Convention

At the request of the Government of Ukraine, the Working Party is invited to consider Informal document WP.30 (2015) No. 11 on the application of Article 45 of the TIR Convention on the territory of the Russian Federation.

Documentation

Informal document WP.30 (2015) No. 11

(iii) 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.

(iv) 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.

(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.

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.

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

The Working Party may wish to recall a decision of the Administrative Committee of the Harmonization Convention (AC.3), at its tenth session, to organize consultations with interested stakeholders to prepare a new Annex 10 on sea ports to the Convention (see ECE/TRANS/WP.30/AC.3/20, para. 14). In view of the first positive reactions to this decision from business associations and national experts, the Working Party, at its previous session, requested the secretariat to prepare a first draft, which should be made available to delegations for their consideration and comments (see ECE/TRANS/WP.30/280, para. 43). The Working Party is invited to consider document ECE/TRANS/WP.30/2015/21 by the secretariat, containing draft proposals for a new Annex 10 to the Harmonization Convention.

Documentation

ECE/TRANS/WP.30/2015/21

(c) Border performance measurement and the Harmonization Convention

At its previous session, the Working Party was informed about a decision of AC.3, at its tenth session, to organize a workshop on best practices and performance measurement of national border authorities (see ECE/TRANS/WP.30/AC.3/20, para. 31 and ECE/TRANS/WP.30/280, para. 41). At the request of the Working Party, the secretariat will provide further information on consultations with countries on the organization of the workshop.

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 its previous discussions on the drafting of a new convention to facilitate the crossing of frontiers for passengers and baggage carried by rail and on the activities of an informal group of experts established to elaborate a draft of such convention. At its previous session, the Working Party requested the Organization for Cooperation between Railways (OSJD) to provide a first draft of such a new convention (see ECE/TRANS/WP.30/280, para. 44). The Working Party is invited to consider document ECE/TRANS/WP.30/2015/22 by OSJD.

Documentation

ECE/TRANS/WP.30/2015/22

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 (AIT/FIA) may report on several issues in the implementation of these Conventions.

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 (EU) 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 (ECO).

(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 (EEU).

(d) **World Customs Organization**

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

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 142nd session to be held from 9 to 12 February 2016.

(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 141st 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.
