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**ECONOMIC COMMISSION FOR EUROPE**

**INLAND TRANSPORT COMMITTEE**

Working Party on Customs Questions affecting Transport  
(15-18 June 2004)

**PROVISIONAL AGENDA FOR THE ONE-HUNDRED-AND-SEVENTH SESSION**

**to be held at the Palais des Nations, Geneva,  
starting at 10.00 hours on Tuesday, 15 June 2004 <sup>\*/</sup>**

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<sup>\*/</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 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: Poul.Hansen@unece.org). Documents may also be downloaded from the Internet web site of the UNECE Transport Division (<http://border.unece.org>). During the meeting, documents may be obtained from the UNOG Documents Distribution Section (Room C.111, 1st floor, Palais des Nations). Documents mentioned in bold in the documentation overview under each agenda item of this the agenda are newly issued documents.

The full text of the Conventions in English, French and Russian as well as complete lists of Contracting Parties to the Conventions referred to in this agenda are available on the UNECE web site: <http://www.unece.org/trans/conventn/legalinst.html#customs>.

New accreditation procedures have been introduced for all delegates attending meetings held at the Palais des Nations. Delegates are therefore requested to complete the attached registration form also available from the Internet Web site of the UNECE Transport Division (<http://www.unece.org/trans/welcome.html>) and to transmit it to the UNECE secretariat, at the latest two weeks prior to the session, either by fax (+41-22-917-0039) or by e-mail (Poul.Hansen@unece.org). Prior to the session, delegates are requested to present themselves at the Pass and Identification Unit of the UNOG Security and Safety Section, located at the Villa Les Feuillantines, 13, Avenue de la Paix (a map is attached) for the issuance of an identification badge. In case of difficulty, please contact by telephone the UNECE secretariat (internal extension 74030).

**Tuesday 15 June 2004**

1. Adoption of the agenda
2. Activities of UNECE bodies and other United Nations organizations of interest to the Working Party
3. Activities of other organizations 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) Preparation of a new Annex on efficient border crossing procedures
  - (c) Preparation of a new Annex on security related issues
5. Customs Conventions on the Temporary Importation of Private Road Vehicles (1954) and Commercial Road Vehicles (1956)
  - (a) Status of the Convention
  - (b) Application of the Convention
6. 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) Implementation of Phases I and II of the TIR revision process and examples of best practices
    - (ii) Preparation of Phase III of the TIR revision process

**Wednesday 16 June 2004**

- (iii) Draft amendments on the inclusion and attribution of voting rights to Regional Economic Integration Organizations (REIO)
- (iv) Amendment proposals for the Convention
- (c) Application of the Convention
  - (i) Functions and roles of the TIRExB, the TIR secretariat and the IRU
  - (ii) Control system for TIR Carnets - IRU SafeTIR
  - (iii) Settlement of claims for payments

**Thursday 17 June 2004**

- (iv) Issues relating to technical provisions
  - (v) CITES
  - (vi) TIR Handbook
  - (vii) Other matters
7. Prevention of the abuse of Customs transit systems by smugglers
8. Other business
- (a) Dates of the next sessions
  - (b) Restriction on the distribution of documents

**Friday 18 June 2004**

9. Adoption of the report

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## **1. ADOPTION OF THE AGENDA**

Documentation: **TRANS/WP.30/213.**

In accordance with the Commission's rules of procedure, the first item to be considered is the adoption of the agenda (TRANS/WP.30/213).

## **2. ACTIVITIES OF UNECE BODIES AND OTHER UNITED NATIONS ORGANIZATIONS OF INTEREST TO THE WORKING PARTY**

The Working Party will be informed about the results of relevant sessions of the Inland Transport Committee, its subsidiary bodies and other United Nations bodies and organizations as they relate to matters of interest to the Working Party.

## **3. ACTIVITIES OF OTHER ORGANIZATIONS OF INTEREST TO THE WORKING PARTY**

Documentation: **TRANS/WP.30/2004/19.**

The Working Party may wish to be informed about recent activities by the World Customs Organization (WCO), the European Conference of Ministers of Transport (ECMT), the European Commission (DG TAXUD) as well as by other governmental and non-governmental organizations as they relate to matters of interest to the Working Party.

The ECMT has in 2004 undertaken a survey on Removal of Obstacles at Border Crossing for International Goods Transport. The results of the survey, which are contained in document TRANS/WP.30/2004/19, will be considered at the eighty-eighth session of Transport Ministers, 26-27 May 2004, Ljubljana (Slovenia).

The Working Party may wish to be informed about the findings of the study and the conclusions of the considerations of the ministerial session.

At its one-hundred-and-sixth session, the Working Party took note of the developments in the field of supply chain security, which is being coordinated by WCO and UNECE (TRANS/WP.30/212, para. 8) and the developments in the context of the Customs Convention on Containers, 1972.

The Working Party may wish to be informed of new developments in this field.

#### **4. INTERNATIONAL CONVENTION ON THE HARMONIZATION OF FRONTIER CONTROLS OF GOODS, 1982 (“HARMONIZATION CONVENTION”)**

Documentation: ECE/TRANS/55 (<http://border.unece.org> - Legal Instruments); TRANS/WP.30/196; TRANS/WP.30/AC.3/10; TRANS/WP.30/AC.3/8; **TRANS/WP.30/AC.3/2004/3**; TRANS/WP.30/AC.3/2004/1; TRANS/WP.30/AC.3/2003/1; **TRANS/WP.30/2004/22**; TRANS/WP.30/2003/20; TRANS/WP.30/2002/19; TRANS/WP.30/2001/16; TRANS/WP.30/2000/16; TRANS/WP.30/2000/11, Informal documents No. 19 and 21 (2002);

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

The Working Party will be informed of the situation concerning the scope and the number of Contracting Parties to the Convention. A complete list of Contracting Parties to the Convention will be annexed to the report of the sixth session of the Administrative Committee of the “Harmonization” Convention (TRANS/WP.30/AC.3/12, annex 1). Information about the status of the Convention can be obtained from the following website:

<http://untreaty.un.org/ENGLISH/bible/englishinternetbible/partI/chapterXI/subchapA/treaty17.asp>.

##### **(b) Preparation of a new Annex on efficient border crossing procedures**

The Working Party may wish to recall that the Working Party, at its one-hundred-and-sixth session, finalized the new draft Annex 8 to the Convention addressing all elements important for efficient border crossing procedures in international road transport of goods and agreed on the final text to be transmitted by the secretariat, as soon as possible, to the Contracting Parties in preparation of the seventh session of the Administrative Committee, to be held in October 2004. (TRANS/WP.30/212, para. 14). The final draft text has been published by the secretariat and is contained in document TRANS/WP.30/AC.3/2004/2.

The Working Party may wish to be informed by Contracting Parties of any developments relating to the possible adoption of the new draft Annex 8 in October 2004.

(c) **Preparation of a new Annex on security related issues**

The Working Party, at its one-hundred-and-fourth session, considered the possibility of establishing a new Annex to the Convention on harmonization of security related controls in connection with cross border transports by road, rail and inland waterways.

The Working Party requested the secretariat to prepare a document for one of its forthcoming sessions, describing the activities and initiatives by other intergovernmental organizations in the field of security impacting the facilitation of international transport and, if possible, also to include information concerning initiatives at the national level in this field, based on contributions which Contracting Parties to the Convention were invited to transmit to the secretariat. The Working Party also requested the secretariat to prepare a first outline of the elements which could form a new Annex to the Convention describing how to harmonize and facilitate security controls in relation to border crossing procedures.

The Working Party may wish to consider document TRANS/WP.30/2004/22, prepared by the secretariat.

**5. CUSTOMS CONVENTIONS ON THE TEMPORARY IMPORTATION OF PRIVATE ROAD VEHICLES (1954) AND COMMERCIAL ROAD VEHICLES (1956)**

Documentation: ECE/TRANS/107/Rev.1; ECE/TRANS/108; (<http://border.unece.org> - Legal Instruments); **TRANS/WP.30/2004/21**.

(a) **Status of the Conventions**

The Working Party will be informed of the situation concerning the scope and the number of Contracting Parties to the Customs Conventions on the Temporary Importation of Private (1954) and Commercial (1956) Road Vehicles. Information about the status of the Convention can be obtained from the following websites:

<http://untreaty.un.org/ENGLISH/bible/englishinternetbible/partI/chapterXI/subchapA/treaty8.asp>,  
<http://untreaty.un.org/ENGLISH/bible/englishinternetbible/partI/chapterXI/subchapA/treaty10.asp>.

**(b) Application of the Conventions**

The Working Party may wish to recall that, on several occasions, it had been requested by the AIT/FIA to consider specific problems related to the application of the Conventions.

The Working Party may wish to be informed by Customs authorities and the AIT/FIA (TRANS/WP.30/2004/21) on the application of the Conventions, in particular, about the management of the system of “Carnet de Passage en Douane” (CPD).

**6. CUSTOMS CONVENTION ON THE INTERNATIONAL TRANSPORT OF GOODS UNDER COVER OF TIR CARNETS (TIR CONVENTION, 1975)**

Documentation: ECE/TRANS/17 and Amends.1-23; 2002 TIR Handbook (<http://tir.unece.org>); TRANS/WP.30/212.

**(a) Status of the Convention**

The Working Party will be informed of the situation concerning the scope and the number of Contracting Parties to the TIR Convention, 1975.

A complete list of Contracting Parties to the Convention as well as a list of countries in which TIR operations can be undertaken is annexed to the report of the thirty-fifth session of the TIR Administrative Committee (TRANS/WP.30/AC.2/71, annex 1). Permanently updated information on the scope of the TIR Convention is available on the UNECE TIR web site: (<http://tir.unece.org>).

**(b) Revision of the Convention**

**(i) Implementation of Phases I and II of the TIR revision process and examples of best practices**

The Working Party may wish to be informed by Contracting Parties and the secretariat about the status of implementation at national level of the Convention and Phases I and II of the revision process.

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

Documentation: TRANS/WP.30/2004/212; TRANS/WP.30/210; TRANS/WP.30/208; TRANS/WP.30/206; TRANS/WP.30/204; TRANS/WP.30/202; TRANS/WP.30/200; TRANS/WP.30/198; TRANS/WP.30/196; TRANS/WP.30/194; TRANS/WP.30/192.

The Working Party may wish to recall that, at its ninety-sixth session, it had decided to start work on Phase III of the TIR revision process, which would include a study of the following elements (TRANS/WP.30/192, para. 33):

- Revision of the TIR Carnet, including the insertion of additional data elements (ID number, HS code, value of goods, etc.);
- Increase in the number of places for loading and unloading under Customs seal;
- Use of new technologies in TIR operations also with a view to reducing the delay in notification of non-discharge.
  
- Revision of the TIR Carnet

The Working Party may wish to recall that, at its one-hundred-and-sixth session, it adopted a best practice concerning additional documentary requirements in the TIR procedure. The best practice will be incorporated in the TIR Handbook when the handbook is updated. (TRANS/WP.30/212, paras. 20 and 21).

The Working Party, at its one-hundred-and-fifth session, had revisited the issue of including additional data elements in the TIR Carnet. In this context, the secretariat had been requested to prepare, for one of its future sessions, a document describing the issue in detail, if possible in cooperation with other international organizations involved in this issue and also taking into consideration future needs in relation to computerization and issues in relation to security (TRANS/WP.30/210, para. 23).

The Working Party may wish to be informed about developments in this field. In the same context, the Working Party may also wish to preliminarily consider the issue of the lay-out and the format of the TIR Carnet.



- Increase in the number of loading and unloading places

The Working Party may wish to recall that, at its one-hundred-and-sixth session, it had considered that, for the time being, there did not seem to exist a further need to increase the number of loading and unloading places, in particular in view of the recent adoption by the Working Party of a comment to Article 18 of the Convention providing for the use, in exceptional cases, of two TIR Carnets for TIR transports, when more than four loading and unloading places were involved. However, with a view to evaluating the need for and the usefulness of this comment as well as its proper implementation, the Working Party had invited the IRU to monitor the use of the facility and to provide the Working Party with statistical information.

The Working Party may wish to be informed about any developments in this field.

- Use of new technologies

The Working Party may wish to recall that, at its one-hundred-and-sixth session, it had considered a number of questions raised by the Informal ad hoc Expert Group on Conceptual and Technical Aspects of the Computerization of the TIR Procedure (hereafter called “the Expert Group”) in relation to the developments of the computerization of the TIR procedure. The Working Party had decided that:

- the computerization of the TIR procedure encompasses the whole TIR Carnet life cycle,
- the only feasible way to achieve tangible results is by following a step-by-step approach of the following steps:
  - (a) work out concrete proposals on how to exchange the so-called ‘static’ data- elements contained in the TIR Carnet,
  - (b) conduct a feasibility study on the practicability of such proposals,
  - (c) propose a pilot along one of the major transit corridors to implement them,
  - (d) consider the integration of the so-called ‘dynamic’ data elements contained in the TIR Carnet
  - (e) possible inclusion of additional features, such as security related information and advance cargo information.
- the computerization process should, until further notice, be focused on the establishment of an international, centralized database,
- the Project to Computerize the TIR Procedure could, in future, be referred to as “eTIR-project”.

The Working Party may wish to be informed of the outcome of the meeting of the fourth session of the Expert Group, which took place on 1 and 2 March 2004. The report of the meeting is contained in document ExG/COMP/2004/10.

**(iii) Draft amendments on the inclusion and attribution of voting rights to Regional Economic Integration Organizations (REIO)**

The Working Party may wish to be informed of any progress considering the proposals transmitted by the European Community concerning inclusion and attribution of voting rights to Regional Economic Integration Organizations (REIO) and the bilateral discussions in this context with the United States of America and Turkey respectively.

**(iv) Amendment proposals**

Documentation: TRANS/WP.30/2004/14.; TRANS/WP.30/2004/11; TRANS/WP.30/2003/22; TRANS/WP.30/2003/11; TRANS/WP.30/2003/10; TRANS/WP.30/2002/30; TRANS/WP.30/R.179.

The Working Party may wish to recall that, at its one-hundred-and-sixth session, it had considered document TRANS/WP.30/2004/11 containing an elaboration on amendment proposals made by the Russian Federation to Article 6.2 bis and Article 11 of the Convention. The Working Party was informed that other Contracting Parties would also transmit proposals for amendments to the Convention. The Working Party was of the view that it would be preferable to consolidate all amendment proposals in one document in order to address all proposed amendments issue by issue. Contracting Parties to the Convention were invited to transmit their proposals in this respect to the secretariat, who was requested to prepare a consolidated document for its one-hundred-and-seventh session in June 2004 (TRANS/WP.30/212, paras. 29 and 30).

The Working Party may wish to consider document TRANS/WP.30/2004/14, containing additional amendment proposals transmitted by Contracting Parties.

The Working Party may also wish to consider how to progress with the amendment procedure. In this context, the Working Party may wish to recall that, at its one-hundred-and-sixth session, it had been proposed to establish a small task force to undertake this work (TRANS/WP.30/212, para. 31).

(c) **Application of the Convention**

(i) **Functions and roles of the TIRExB, the TIR secretariat and the IRU**

Documentation: **TRANS/WP.30/2004/15**.

The TIR Administrative Committee, at its thirty-sixth session, considered document TRANS/WP.30/AC.2/2003/11, prepared at the request of the Working Party (WP.30), containing the views of the Chairman of WP.30 on the roles and responsibilities of the parties involved in the TIR system. The Committee requested the secretariat to prepare a document for the Working Party containing proposals for the inclusion of the parts C, D, E and F of the document TRANS/WP.30/AC.2/2003/11 into point 1.9 of the introduction to the TIR Handbook.

The Working Party may wish to take note of document TRANS/WP.30/2004/15, prepared by the secretariat, which contains the elements to be included into point 1.9 of the introduction of the TIR Handbook.

(ii) **Control system for TIR Carnets - IRU SafeTIR**

The Working Party, also at its one-hundred-and-fifth session, requested the IRU to consider if information concerning the stamps and signatures of the principal of the issuing associations used in TIR Carnets, which today are provided via letters, faxes or e-mails, can be included in the CuteWise.

The Working Party may wish to be informed by the IRU about any development concerning the issue.

(iii) **Settlement of claims for payments**

Documentation: **TRANS/WP.30/2004/17**; TRANS/WP.30/212.

The Working Party may wish to recall that, at its one-hundred-and-sixth session, it was informed about the final ruling of the Arbitration Court of the case between the IRU and PFA, the former insurance pool backing the TIR guarantee chain, which in 1995 had cancelled the insurance contract with IRU. The Working Party expressed deep concern of the fact that, with the final ruling of the Court of Arbitration, there still did not seem to be a closure for the great number of outstanding cases, that there was no transparency in the Court ruling and that the customs authorities risk being manipulated for this reason. The Working Party strongly urged the IRU to provide full information on the ruling, including statistics, as soon as possible.

The Working Party also expressed concern that a similar situation could happen again with the present insurer, even though an arbitration clause does not exist in the present contract between the IRU and the insurer (TRANS/WP.30/212, paras. 35-38).

The Working Party may wish to take note of document TRANS/WP.30/2004/17, transmitted by the IRU, providing further information about the ruling of the Arbitration Court and the impact on outstanding claims relating to the period before 1995.

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

**(iv) Amendment proposals relating to technical provisions**

Documentation: **TRANS/WP.30/2004/15; TRANS/WP.30/2004/18;** TRANS/WP.30/2004/7; TRANS/WP.30/2004/4; TRANS/WP.30/2003/13; TRANS/WP.30/2002/27.

The Working Party may wish to recall that, at its one-hundred-and-sixth session, it considered document TRANS/WP.30/2004/4, prepared by the secretariat, containing draft proposals for amending the provisions of the Convention relating to the use of cables to allow for the use of fibre optic cables. The Working Party took note of an intervention by the delegate of the United States relating to the functionality of the placement of the lock of the fibre-optic cable close to the handle of the load compartment. Against this background, the Working Party adopted the proposed amendment to Annex 2, Article 3, para. 9 of the Convention as well as a new comment to Annex 2, Article 3, para. 10 to the Convention and requested the secretariat to take account of the intervention of the United States before finalizing and transmitting the proposals to the TIR Administrative Committee for consideration and adoption at its forthcoming session (TRANS/WP.30/2004/12, paras. 39 and 40 and Annex 1).

Bearing this in mind, the secretariat, with the assistance of the United States and Swedish administrations, has reviewed the adopted proposals and has found that the proposed provisions relating to the use of fibre-optic cables would benefit from further clarification.

On this background, the Working Party may wish to consider a revised proposal for the use of fibre-optic cables, prepared by the secretariat, as contained in document TRANS/WP.30/2004/15.

The Working Party may also wish to consider document TRANS/WP.30/2004/18, submitted by the World Customs Organization, containing new guidelines to the International Convention on the Simplification and Harmonization of Customs procedures (Kyoto Convention), chapter 6 on seals. The Working Party may wish to consider how these provisions could be applied in the context of the TIR Convention.

The Working Party may wish to take note of a presentation by the International Seal Manufacturers Association (ISMA) on the developments in sealing technology.

**(v) CITES**

Documentation: **TRANS/WP.30/2004/20.**

The Working Party, at its one-hundred-and-sixth session, considered a proposal transmitted by the European Community, document TRANS/WP.30/2004/6, concerning the inclusion of provisions in the TIR Convention about endangered species (The Washington Convention 1973, CITES).

The Working Party supported the inclusion in the Convention of provisions protecting wildlife but felt that the proposals made by the European Community still needed some modifications in relation to the proposed comment to Article 47. Furthermore, the Working Party questioned the practicability of including a specific description of this question in Annex 1 to the Convention.

The Working Party may wish to consider a proposal transmitted by the European Community (TRANS/WP.30/2004/20).

**(vi) TIR Handbook**

Documentation: UNECE document; (<http://tir.unece.org>).

The TIR Handbook contains the text of the Convention and its annexes, including the amendments to the Convention, at present including the amendments adopted under Phase II of the TIR revision process, as well as all relevant comments adopted by the Working Party, the Administrative Committee and the TIRExB. The updated TIR Handbook in English, French and Russian can be viewed and downloaded from the UNECE TIR web site in these languages (<http://tir.unece.org>). Updated hard-copy versions of the TIR Handbook are available in Arabic, Chinese, English, French, Italian and Russian. A limited number of such copies may be obtained free of charge from the secretariat.

**(vii) 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.

**7. PREVENTION OF THE ABUSE OF CUSTOMS TRANSIT SYSTEMS BY SMUGGLERS**

Documentation: TRANS/WP.30/127.

Having discussed at earlier sessions a number of drug seizures involving TIR vehicles, the Working Party felt that it should be informed of any special devices and facilities used by smugglers abusing the TIR transit system. The Working Party invited all Contracting Parties to the TIR Convention, 1975, and the World Customs Organization (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).

As in the past, the Working Party may wish to exchange views and report on experiences on this subject, if any, on a confidential basis.

**8. OTHER BUSINESS**

**(a) Dates of the next sessions**

The Working Party may wish to decide on the dates for its next sessions.

The secretariat has already scheduled the one-hundred-and-eighth session of the Working Party to be held in the week from 11 to 15 October 2004 in conjunction with the thirty-seventh session of the TIR Administrative Committee and the seventh session of the Administrative Committee for the "Harmonization" Convention.

The one-hundred-and-ninth session of the Working Party is tentatively scheduled to be held during the week of 31 January to 4 February 2005 in conjunction with the thirty-eighth session of the TIR Administrative Committee .

(b) **Restriction on the distribution of documents**

The Working Party should decide whether there shall be any restrictions with respect to 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 one-hundred-and-seventh session on the basis of a draft prepared by the secretariat. Given the present resource restrictions with regard to translation facilities, parts of the final report may not be available at the session for adoption in all working languages.

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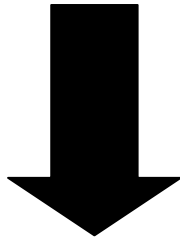
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