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Administrative Committee for the International Convention on the Harmonization of Frontier Controls of Goods, 1982

Tenth session

Geneva, 9 October 2014

Report of the Administrative Committee on its tenth session

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I. Attendance

1. The Committee held its tenth session on 9 October 2014 in Geneva.
2. The session was attended by representatives of the following countries: Austria, Azerbaijan, Belgium, Bulgaria, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iran (Islamic Republic of), Italy, Kyrgyzstan, Latvia, Lithuania, Netherlands, Poland, Republic of Moldova, Spain, Sweden, Switzerland, Turkey, Ukraine. Representatives of the European Union (EU) were also present.
3. The Committee noted that the quorum required for the purpose of taking decisions – of at least one-third of the States which are Contracting Parties (in accordance with Annex 7, Article 6 of the Convention) – had been attained.

II. Adoption of the agenda (agenda item 1)

Documentation: ECE/TRANS/WP.30/AC.3/19

4. The Administrative Committee considered and adopted the agenda.

III. Election of officers (agenda item 2)

5. In accordance with Annex 7, Article 5 of the Convention, the Committee elected Mr. Shahin Baghirov (Azerbaijan) as Chair of this session.

IV. Status of the Convention (agenda item 3)

6. The Committee noted with satisfaction that since its ninth session in May 2010, three new countries (Iran (Islamic Republic of) in 2010, Tajikistan in 2011 and Morocco in 2012) had acceded to the Convention which has entered into force for all three countries.
7. Detailed information on the status of the Convention as well as on Depositary Notifications is available on the UNECE website.¹

V. Proposals for amendments of the Convention (agenda item 4)

Documentation: ECE/TRANS/WP.30/258, ECE/TRANS/WP.30/2013/4

8. The Administrative Committee was informed that formal proposals for the amendments of the Convention had not been received by the secretariat.
9. The Administrative Committee was informed that the Working Party on Customs Questions affecting Transport (WP.30) at previous sessions had continued discussing ways and means of making the Convention more efficient.
10. Border crossing procedures at seaports as well as benchmarking and performance indicators for the implementation of the Convention were among the suggestions raised at WP.30 sessions. These may possibly take the form of new annexes to the Convention.

¹ www.unece.org/trans/conventn/legalinst.html#customs

11. The Administrative Committee decided to consider benchmarking and performance indicators (ECE/TRANS/WP.30/2013/4) under agenda item V(c) “Application of the Convention: Implementation of the Harmonization Convention and the use of best practices in this context”.

12. The secretariat recalled that in 2011, a report “Hinterland Connection of Seaports” (ECE/TRANS/210) had been published by the secretariat. This led to consultations with international organizations and the private sector, which showed a general interest for preparing a new annex 10 on border crossings at seaports.

13. During the debate, the delegations were in favour in continuing these consultations and they stressed the need to involve adequate expertise and, in this context, the importance of involving major seaports in such activity.

14. The Administrative Committee noted the interest of some countries in this area and requested the secretariat to contact administrations of major seaports and associations and identify their interest in participating in such a project.

VI. Application of the Convention (agenda item 5)

A. Annex 8 on facilitation of border crossing procedures for international road transport

Documentation: ECE/TRANS/WP.30/2011/1, ECE/TRANS/WP.30/272

15. The Administrative Committee was reminded that Annex 8 to the Convention had entered into force on 20 May 2008. At previous sessions, WP.30 had regularly discussed developments in this area and noted the slow implementation of Annex 8 at the national level.

16. The Committee was informed about the activities of WP.30 and of the secretariat in this area. One of the issues in the facilitation of international road transport considered by WP.30 was the introduction of an “international vehicle/container X-ray scanning certificate”. Introducing such a certificate was proposed as a potential, which as the case may be, could avoid repetitive x-ray inspections at border crossings. As article 8 of the Convention already deals with the exchange of information, and that the exchange of the results of x-ray scans between customs administrations is under discussion at the World Customs Organization, WP.30 decided not to revert to this issue in the future (ECE/TRANS/WP.30/272, para. 16).

17. The survey on implementing Annex 8 of 2011 (ECE/TRANS/WP.30/2011/1) showed a high awareness of the Contracting Parties of their obligations under Annex 8 and a positive progress in its implementation.

18. Different experiences in implementing the International Vehicle Weight Certificate (IVWC) were presented and discussed. In this context, the WP.30 welcomed the initiative of the Organization of the Black Sea Economic Cooperation (BSEC) on promoting the implementation of IVWC in its region.

19. The Deputy Secretary-General of BSEC presented a BSEC pilot project. Delegations were informed that the first official weigh-in of a truck took place on 30 September 2014 in the Republic of Moldova and that the first International Vehicle Weight Certificate under Annex 8 to the Harmonization Convention had been issued. Ms. E. Molnar, Director of the Transport Division, had presented the BSEC diplomas to the representatives of the Republic of Moldova for being the first country to issue IVWC. The representatives of Georgia and the Ukraine received diplomas for being the first countries to accept IVWC.

The Administrative Committee was also informed that the Republic of Moldova had submitted a notification to UNECE that was in accordance with Annex 8 of the Convention on authorizing a national company to issue IVWC. The Administrative Committee thanked BSEC for the information on the launching of the IVWC project, welcomed its preliminary results and invited other countries to join.

20. The Committee was also informed about the progress in organizing the next biennial survey on implementing Annex 8 in the autumn of 2014 (the previous survey was held in 2011; document ECE/TRANS/WP.30/2011/1).

21. The Administrative Committee requested the secretariat to organize the survey and invited countries to contribute to it.

B. Annex 9 on facilitation of border crossing procedures for rail transport

Documentation: ECE/TRANS/WP.30/AC.3/2010/1, ECE/TRANS/SC.2/2013/6

22. The Committee recalled that Annex 9 to the Harmonization Convention, which had been adopted at its ninth session on 27 May 2010 (ECE/TRANS/WP.30/AC.3/2010/1), entered into force on 30 November 2011.

23. During the deliberations, WP.30 had stressed that the concerted actions of various government authorities were required to ensure its smooth introduction into the national legislation of the Contracting Parties and a practical implementation of its provisions.

24. The Working Party on Rail Transport (SC.2) and the secretariat had organized a survey (2013-2014) on the national applications of Annex 9 (ECE/TRANS/SC.2/2013/6). The SC.2 secretariat informed the delegations that, at present, 22 countries had replied to the survey and that the first preliminary results would be available for the meeting of SC.2 in November 2014. The Committee and WP.30 would also be informed about the outcome of this exercise.

25. The Administrative Committee took note of the information and requested delegations to inform relevant railway agencies and operators about the survey and to invite them to contribute to it.

C. Implementation of the Harmonization Convention and the use of best practices in this context

Documentation: Informal document WP.30/AC.3 (2014) No. 1, ECE/TRANS/WP.30/2012/9, ECE/TRANS/WP.30/2013/4, TRANS/SC.2/2002/8 and Adds. 1–2

26. It was recalled that in 2012, a joint publication of UNECE and OSCE “Handbook on Best Practices at Border Crossings: A Trade and Transport Facilitation Perspective” had been prepared. Also in 2012, a special Round Table had been held on the role of best practices at border crossings in the implementation of the Harmonization Convention (ECE/TRANS/WP.30/2012/9).

27. During the deliberations at its 133rd and 135th sessions, WP.30 had suggested that the implementation and monitoring of the Convention could be improved by the systematic use of benchmarking and performance indicators (options are presented in ECE/TRANS/WP.30/2013/4).

28. To facilitate the debate, the secretariat introduced Informal document WP.30/AC.3 (2014) No. 1 which contained an overview of the previous discussions on benchmarking

and implementation indicators, various options of introducing implementation and monitoring issues into the Convention and possible future directions for this work.

29. During the discussion on the existing methods of performance measurement and on their limitations, a presentation was made on behalf of ESCAP, which is currently working on a new methodology, which combines business process analysis and methodologies of the World Customs Organization (Time Release Study (TRS) and Time-Cost-Distance (TCD)). The new ESCAP methodology seems to capture information throughout the entire supply chain.

30. During the debate, the usefulness of the World Customs Organization (WCO) “time release study” approach was noted, as well as the difficulties of transborder comparison and performance assessments by regulatory agencies. In this context, the monitoring of border crossing times organized by SC.2 in 2002 was recalled (TRANS/SC.2/2002/8 and Add. 1–2). It showed, for example, that in many cases delays in technical controls of trains led to further delays in other types of controls and that consecutive controls by different border authorities often extended the delay at the border beyond the time allocated in train timetables and caused excessive delays in dispatch and arrival of these trains.

31. The Administrative Committee:

- Took note of the information presented by the secretariat;
- Noted that the existing current performance assessment methodologies do not allow for a trans-border comparison due to the impossibility to take into account the numerous specificities of national controls;
- Suggested concentrating on those indicators and approaches that could help national regulatory agencies improve their performance;
- Requested the secretariat to organize, in 2015, a workshop on best practice and performance measurement by national border authorities.

D. Implementation of the Harmonization Convention within the context of other international legal instruments

32. The Committee recalled that with the current increase in global terrorism, a number of initiatives had been undertaken by various intergovernmental and non-governmental organizations with the aim of ensuring security in global trade and transport (for example, WCO has developed the Framework of Standards to Secure and Facilitate Global Trade (SAFE Framework); adopted in 2005).

33. During the debate, the EU representative noted that the SAFE standards implemented by EU and other such experiences might be of interest to countries (for example, by combining electronic declaration procedures of transit with risk assessment technologies).

34. The Administrative Committee requested secretariat to continue monitoring developments and to inform AC.3 and WP.30 about new developments. The Committee invited countries to continue exchanging experiences on the implementation of WCO SAFE standards in the context of Harmonization Convention.

VII. Other business (agenda item 6)

A. Promotion of the Harmonization Convention

Documentation: Informal document WP.30 (2014) No. 7

35. The Committee was informed about discussions on possible synergies between a new WTO Agreement on Trade Facilitation and the Harmonization Convention held during the session of the Inland Transport Committee on 25–27 February 2014.

36. The Committee's attention was also drawn to Informal document WP.30 (2014) No. 7 that compares major provisions of the WTO Trade Facilitation agreement and the Harmonization Convention. The document shows that trade facilitation provisions are found throughout both legal texts and that countries which implement the Harmonization Convention also implement the relevant WTO commitments.

37. The Administrative Committee supported the approach to establish synergies between the Harmonization Convention and the WTO Agreement on Trade Facilitation, and called for further promotion of the Convention with WTO and WCO.

B. Date of next session

38. The Administrative Committee decided not to fix the date of its next meeting.

C. Restriction on the distribution of documents

39. The Administrative decided not to introduce any restrictions on the distribution of documents from its current session.

VIII. Adoption of the report (agenda item 7)

40. In accordance with Annex 7, Article 8 of the Convention, the Administrative Committee adopted decisions under relevant items of the provisional agenda and entrusted the secretariat to draft the report and to send it to delegations before finalization.
