



**Economic and Social
Council**

Distr.
GENERAL

ECE/TRANS/WP.30/235
14 November 2007

Original: ENGLISH

ECONOMIC COMMISSION FOR EUROPE

INLAND TRANSPORT COMMITTEE

Working Party on Customs Questions affecting Transport

One-hundred-and-eighteenth session
Geneva, 29 January – 1 February 2008

**ANNOTATED PROVISIONAL AGENDA
FOR THE ONE-HUNDRED-AND-EIGHTEENTH SESSION**

To be held at the Palais des Nations, Geneva,
starting at 10.00 hours on Tuesday, 29 January 2008^{1, 2, 3}

¹ The UNECE Transport Division has submitted the present document after the official documentation deadline.

² 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 <<http://border.unece.org>>. During the meeting, documents may be obtained from the UNOG Documents Distribution Section (Room C.337, 3rd floor, Palais des Nations). Documents mentioned in bold in the documentation overview under each agenda item of this agenda are documents issued for the present session.

³ 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: <<http://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 <<http://www.unece.org/trans/registfr.html>> 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 74030). For a map of the Palais des Nations and other useful information, see website <<http://www.unece.org/meetings/practical.htm>>.

I. PROVISIONAL AGENDA

Tuesday, 29 January 2008

1. Adoption of the agenda
2. Election of officers
3. Activities of UNECE bodies and other United Nations organizations of interest to the Working Party
4. Activities of other organizations and countries of interest to the Working Party
5. 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 rail border crossing
6. International Convention to Facilitate the Crossing of Frontiers for Passengers and Baggage carried by Rail, of 10 January 1952
7. Customs Conventions on the Temporary Importation of Private Road Vehicles (1954) and Commercial Road Vehicles (1956)
 - (a) Status of the Conventions
 - (b) Application of the Conventions
8. Rail transit
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) 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, 30 January 2008

- (iii) Amendment proposals for the Convention
 - (c) Application of the Convention
 - (i) Control system for TIR Carnets - IRU SafeTIR
 - (ii) Settlement of claims for payments
 - (iii) Re-introduction of the guarantee for sensitive goods and other excluded goods
 - (iv) TIR Handbook
 - (v) Other matters

10. Prevention of the abuse of Customs transit systems by smugglers
11. Programme of Work for 2008 to 2012
12. Other business
 - (a) Dates of the next sessions
 - (b) Restriction on the distribution of documents

Thursday, 31 January 2008

TIR Administrative Committee

Friday, 1 February 2008

13. Adoption of the reports

Annex – Programme of work for the years 2008-2012

II. ANNOTATIONS TO THE PROVISIONAL AGENDA

Item 1 Adoption of the Agenda

Documentation: ECE/TRANS/WP.30/235

1. In accordance with the Commission's rules of procedure, the first item to be considered is the adoption of the agenda (ECE/TRANS/WP.30/235).

Item 2 Election of officers

2. In accordance with the Commission's rules of procedure and established practice, the Working Party should elect a Chairperson and, possibly, a Vice-Chairperson for its sessions in 2008.

Item 3 Activities of UNECE bodies and other United Nations Organizations of interest to the Working Party

3. 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.

Item 4 Activities of other Organizations and countries of interest to the Working Party

Documentation: **ECE/TRANS/WP.30/234**

4. The Working Party may wish to be informed about recent activities by the World Customs Organization (WCO), the European Commission (DG TAXUD), the World Trade Organization (WTO), the International Organization for Standardization (ISO) as well as by other governmental and non-governmental organizations as far as they relate to matters of interest to the Working Party.

5. At the invitation of the Working Party at its one-hundred-and-seventeenth session (ECE/TRANS/WP.30/234, para. 12), Contracting Parties may wish to provide, under this agenda item, information on their national experiences in the field of the computerized treatment of TIR Carnets.

Item 5 International Convention on the Harmonization of Frontier Controls of Goods, 1982 (“Harmonization Convention”)

Documentation: ECE/TRANS/55; **ECE/TRANS/WP.30/2006/13;**
ECE/TRANS/WP.30/2006/12

(a) Status of the Convention

6. The Working Party will be informed of the situation concerning the scope and the number of Contracting Parties to the Convention. The Working Party may wish to be reminded that the deadline for objection to the new Annex 8 on road transport remains to be 20 February 2008 (Depositary Notification C.N.2007.TREATIES-1).

(b) Preparation of a new Annex on rail border crossing

Documentation: **ECE/TRANS/WP.30/2007/11/Rev.1;** ECE/TRANS/WP.30/2007/11; Informal document No. 14 (2007); ECE/TRANS/WP.30/234

7. The Working Party may wish to recall that, at its one-hundred-and-seventeenth session, it was informed by the Organization for the Collaboration of Railways (OSJD) and the Intergovernmental Organisation for International Carriage by Rail (OTIF) about progress made in preparing a new Annex on rail border crossing. The Working Party invited both proponents of the new Annex to continue discussions aiming at consolidating document ECE/TRANS/WP.30/2007/11 and Informal document No. 14 (2007) for discussions and possible adoption at the present session of the WP.30 (ECE/TRANS/WP.30/234, para. 14).

8. The Working Party may wish to consider document ECE/TRANS/WP.30/2007/11/Rev.1 containing consolidated proposals by OSJD and OTIF for the introduction of a new Annex 9 to the Convention.

Item 6 International Convention to Facilitate the Crossing of Frontiers for Passengers and Baggage Carried by Rail, of 10 January 1952

Documentation: ECE/TRANS/WP.30/2007/12/Rev.1; ECE/TRANS/WP.30/2007/12; Informal document No. 15 (2007); ECE/TRANS/WP.30/234

9. The Working Party may wish recall that, at its one-hundred-and-seventeenth session, it was informed by OSJD and OTIF about progress made in preparing a new International Convention to Facilitate the Crossing of Frontiers in International Railway Passenger Transport. The Working Party invited both proponents of the new Convention to continue discussions aiming at consolidating document ECE/TRANS/WP.30/2007/12 and Informal document No. 15 (2007) for discussions and possible adoption at the present session of the WP.30 (ECE/TRANS/WP.30/234, para. 15).

10. The Working Party may wish to consider document ECE/TRANS/WP.30/2007/12/Rev.1 containing consolidated proposals by OSJD and OTIF for a new International Convention to Facilitate the Crossing of Frontiers in International Railway Passenger Transport and discuss possible difficulties related to the adoption of a new proposed Convention in the context of the existing International Convention to Facilitate the Crossing of Frontiers for Passengers and Baggage carried by Rail of 1952.

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

Documentation: ECE/TRANS/107; ECE/TRANS/107/Rev.1 (Russian only); ECE/TRANS/108

(a) Status of the Conventions

11. The Working Party may wish to 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.

(b) Application of the Conventions

12. The Working Party may wish to be informed about the recent developments with regard to the preparation of new comments and best practices and further activities to encourage accession to and the effective implementation of these two Conventions.

Item 8 Rail transit

The Convention on International Customs Transit Procedures for the Carriage of Goods by Rail under Cover of SMGS Consignment Notes

13. The Working Party may wish to be informed of the latest developments concerning the Convention on International Customs Transit Procedures for the Carriage of Goods by Rail under Cover of SMGS Consignment Notes, which is open for signature until 31 December 2007

at the UN headquarters in New York City. The text of the Convention in English, French and Russian can be obtained from the UN Treaty Section website.⁴

Item 9 Customs Convention on the International Transport of Goods under Cover of TIR Carnets (TIR Convention, 1975)

Documentation: ECE/TRANS/17 and Amends.1-27; **2007 TIR Handbook**⁵

(a) Status of the Convention

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

15. 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 forty-fourth session of the TIR Administrative Committee (ECE/TRANS/WP.30/AC.2/91, annex).⁶

(b) Revision of the Convention

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

16. The Working Party may wish to be informed of any new developments in relation to this question.

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

Documentation: **ECE/TRANS/WP.30/GE.1/2007/11; ECE/TRANS/WP.30/GE.1/2007/16; ECE/TRANS/WP.30/234**

Use of new technologies

17. The Working Party may wish to recall its discussions at its one-hundred-and-seventeenth session (ECE/TRANS/WP.30/234, paras. 22-24).

18. The Working Party may wish to endorse document ECE/TRANS/WP.30/GE.1/2007/11, containing the summary report of the twelfth session of the Informal Ad hoc Expert Group on Conceptual and Technical Aspects of Computerization of the TIR Procedure (GE.1) held in Geneva on 12 June 2007.

19. The Working Party may also wish to be informed about the outcome of the thirteenth session of the Informal Ad hoc Expert Group on Conceptual and Technical aspects of Computerization of the TIR Procedure (GE.1) which took place on 26 and 27 November 2007 and, possibly, endorse the summary report of the session, contained in document ECE/TRANS/WP.30/GE.1/2007/16.

⁴ <<http://untreaty.un.org/English/Osignature.asp>>.

⁵ <<http://tir.unece.org>>.

⁶ Permanently updated information on the scope of the TIR Convention is available on the UNECE TIR web site: <<http://tir.unece.org>>.

(iii) Amendment proposals for the Convention

Documentation: ECE/TRANS/WP.30/2008/1; ECE/TRANS/WP.30/2008/2;
ECE/TRANS/WP.30/2008/3; ECE/TRANS/WP.30/2008/4; ECE/TRANS/WP.30/2007/19;
ECE/TRANS/WP.30/2007/18; ECE/TRANS/WP.30/234; ECE/TRANS/WP.30/2006/5/Rev.2

20. The Working Party may wish to recall that, at its one-hundred-and-seventeenth session, it considered document ECE/TRANS/WP.30/2007/18, transmitted by the European Commission on behalf of the European Community, containing a number of amendment proposals. Due to practical difficulties in discussing the EC's amendment proposals and counterproposals, the Working Party requested the secretariat to prepare a consolidated document. The document to be prepared for this session of the Working Party should contain the proposals of the European Community as contained in document ECE/TRANS/WP.30/2007/18 as well as other parties' comments, counterproposals and additional amendment proposals. To facilitate the preparation of such document, Contracting Parties as well as WP.30 observers, were invited to submit (or resubmit, if done previously) their comments on the EC's proposals, counterproposals and their own amendment proposals. The IRU was invited to provide impact estimates on the financial stability of the international guarantee chain related to amendment proposals contained in document ECE/TRANS/WP.30/2007/18. At the request of the Working Party the consolidated document should also include the proposal contained in document ECE/TRANS/WP.30/2007/19, transmitted by the government of Belarus and proposing to increase the level of the maximum guarantee to sixty thousand euros from fifty thousand United States dollars. The IRU was invited to provide its estimates of impacts due to the increase in the level of guarantee. The Working Party also welcomed a proposal by Turkey to submit a study analyzing this issue. Further considerations were postponed to this session of the Working Party to be able to take into account the current survey of the TIRExB on this issue (see ECE/TRANS/WP.30/234, paras. 25-27).

21. In line with the request by the Working Party, the secretariat has prepared document ECE/TRANS/WP.30/2008/1, containing a consolidated version, as per 20 November 2007, of all outstanding amendment proposals for the Convention, using the EC's proposals as contained in document ECE/TRANS/WP.30/2007/18 as point of reference.

22. When discussing the amendment proposals, the Working Party may wish to take into account document ECE/TRANS/WP.30/2008/2, submitted by the IRU and containing its impact estimates on the financial stability of the international guarantee chain related to the amendment proposals in document ECE/TRANS/WP.30/2007/18. Furthermore, the Working Party may wish to consider document ECE/TRANS/WP.30/2008/3, submitted by the IRU and containing its estimates of impacts due to the increase in the level of guarantee to sixty thousand euros from fifty thousand United States dollars. Furthermore, the Working Party may wish to take into account document ECE/TRANS/WP.30/2008/4, submitted by the government of Turkey, containing a study analyzing the issue of increase in the level of guarantee. Finally, the Working Party may wish to be informed by the Chairperson of the TIRExB of any findings of its survey on this issue.

(c) Application of the Convention

(i) Control system for TIR Carnets - IRU SafeTIR

23. The Working Party may wish to be informed by the IRU about developments concerning the issue, including an update of the Cutewise application regarding the invalidation of TIR Carnets.

(ii) Settlement of claims for payments

24. The Working Party may 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.

(iii) Re-introduction of the guarantee for sensitive goods and other excluded goods

Documentation: ECE/TRANS/WP.30/2008/5; TRANS/WP.30/202

25. The Working Party may wish to take note of document ECE/TRANS/WP.30/2008/5, transmitted by the IRU, in which it provides information on the re-introduction of the TIR guarantee in the territory of the European Union for some so-called “sensitive” goods under certain weight limitations.

26. The Working Party may wish to recall that it had, on various occasions, expressed the view that the denouncement was not in line with the Convention and that it could have severe repercussions for the correct application of the Convention in the future (TRANS/WP.30/202, para. 50).

(iv) TIR Handbook

Documentation: **2007 TIR Handbook**⁷

27. The TIR Handbook contains the text of the Convention and its annexes, including the amendments to the Convention and Explanatory Notes, as well as all relevant comments adopted by the Working Party and the Administrative Committee.

28. The 2007 version of the Handbook is available in the Arabic, Chinese, English, French, Russian and Spanish language versions both in hard copy, CD-ROM and in electronic version for download from the UNECE TIR web site. Hard copies and CD-ROM's can be obtained from the secretariat.

(v) Other matters

29. 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 <<http://tir.unece.org>>.

Item 10 Prevention of the abuse of Customs Transit Systems by smugglers

30. 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.

31. The Working Party has, at its previous sessions, 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).

32. The Working Party may wish to be briefed by the secretariat of information received and exchanged by means of the use of the Fraud Report Form (FRF). Contracting Parties are encouraged to use the FRF with a view to contributing to combat fraud committed against the TIR system.

Item 11 Programme of work for 2008 to 2012

33. The Working Party may wish to consider and amend as appropriate its Work Programme for the years 2008 to 2012 based on the draft contained in the annex.

Item 12 Other business

(a) Dates of the next sessions

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

35. The secretariat has already scheduled the one-hundred-and-nineteenth session of the Working Party to be held in the week from 2 to 6 June 2008 and the one-hundred-and-twentieth session from 29 September to 3 October 2008, in conjunction with the forty-sixth session of the TIR Administrative Committee (subject to confirmation).

36. The Working Party will be informed about the exact dates for the one-hundred-and-twentieth session at the present session.

(b) Restriction on the distribution of documents

37. 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.

Item 13 Adoption of the report

38. In accordance with established practice, the Working Party will adopt the report on its one-hundred-and-eighteenth 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.

Annex

Programme of work for the years 2008-2012

PROGRAMME ACTIVITY 02.10: CUSTOMS QUESTIONS AFFECTING TRANSPORT

Harmonization and simplification of requirements for border crossing procedures concerning modes of inland and intermodal transport

Description:

- (a) Preparation and implementation and, where appropriate, review and modification of international legal instruments.
- (b) Simplification and harmonization of administrative formalities, documents and procedures.

Work to be undertaken: The Working Party on Customs Questions affecting Transport will pursue the following activities:

CONTINUING ACTIVITIES

- (a) Review of relevant Conventions and Agreements on border crossing facilitation under the auspices of the Working Party in order to ensure their relevance and implementation as well as coherence with other international or sub-regional treaties and to keep them in line with modern transport and border control requirements. Priority: 1

Output expected in **2008**:

Analysis of the application of the following UNECE Conventions on border crossing facilitation: TIR Convention 1975; **International Convention on the Harmonization of Frontier Controls of Goods 1982**; **International Convention to Facilitate the Crossing of Frontiers for Passengers and Baggage carried by Rail 1952**;⁸ Customs Conventions on the Temporary Importation of Private (1954) and Commercial (1956) Road Vehicles.

Consideration of the need for negotiating two model container pool agreements providing guidance to the transport industry and the Contracting Parties on the implementation of the provisions of the "Customs Container Pool Convention" covering international rail and international maritime transport.

Periodic review of Resolutions and Recommendations adopted by the Working Party with a view to confirming their usefulness and implementation as well as possible adopting modifications where deemed necessary Priority: 2

⁸ Text in bold refers to modifications proposed by the secretariat.

Output expected in 2008:

Review of all Resolutions and Recommendations adopted by the Working Party with a view to deciding on which Resolutions and Recommendations to focus in the coming year.

Study of the possible extension of relevant UNECE Conventions on border crossing facilitation to other regions, particularly relating to legal and administrative aspects. Priority: 2

Output expected in 2008:

Preparation and organization of regional and/or national workshops, possibly in cooperation with UNESCAP, ECA and UNESCWA and other relevant UN and international organizations, on the implementation of relevant UNECE Conventions on border crossing facilitation, in particular in Asia, **North Africa** and the Middle East.

Study of Customs questions with a view to simplification of Customs formalities and documents in the field of transport, in particular taking account of the possibility of electronic data interchange solutions. Priority: 1

Output expected in 2008:

Analysis and revision of the provisions of both a strategic and technical nature of the TIR Convention, in particular the provisions relating to the guarantee system with a view to enhancing the functioning and efficiency for both the public and private partners in the TIR system;

Continuation of work on phase III of the TIR revision procedure, focusing on the revision of the TIR Carnet and on provisions for a modernized EDI-based Customs administration and control system.

Study of specific legal and other measures to combat fiscal fraud resulting from simplified Customs and other border crossing procedures, such as the TIR regime, including periodic review of the status of implementation of resolution No. 220 (prevention of the abuse of Customs transit systems by drug smugglers). Setting-up of mechanisms and administrative procedures for the regular exchange of information with other Governmental and non-governmental organizations to combat such fraud. Priority: 1

Output expected in 2008:

Preparation of adequate instruments and measures to improve international cooperation among Contracting Parties to the TIR Convention, 1975 and concerned national and international organizations to prevent fraud;

Review of Annex 10 of the TIR Convention on an international EDI control system for TIR Carnets;

Exchange of intelligence among Customs authorities of Contracting Parties to relevant UNECE Conventions on border crossing facilitation on abuses with a view to identifying measures to combat such occurrences.

Analysis of difficulties encountered relating to border crossing formalities with a view to devising administrative procedures eliminating such difficulties. The analysis will cover health, phytosanitary, veterinary and quality controls, application of standards, public safety controls, etc., including the promotion of the implementation and extension of the scope of the International Convention on the Harmonization of Frontier Controls of Goods of 1982 (Harmonization Convention). Priority: 1

Output expected in **2008**:

Finalization of a new Annex 9 to the “Harmonization Convention” on the facilitation of border crossing procedures for international rail freight in cooperation with the Working Party on Rail Transport.

ACTIVITIES OF A LIMITED DURATION

Study to facilitate railway transit traffic on the basis of the CIM and the SMGS Consignment Notes. Priority: 2

Output expected in **2008**:

Study the full integration of a harmonized Customs transit regime covering all COTIF and SMGS Member States.

Study the preparation of a new International Convention to Facilitate the Crossing of Frontiers in International Railway Passenger Transport.
