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INLAND TRANSPORT COMMITTEE

Working Party on Customs Questions Affecting Transport

**REPORT OF THE WORKING PARTY ON CUSTOMS QUESTIONS
AFFECTING TRANSPORT ON ITS ONE-HUNDRED-AND-EIGHTEENTH SESSION
(29 January – 1 February 2008)**

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I. ATTENDANCE

1. The Working Party held its one-hundred-and-eighteenth session from 29 January to 1 February 2008 in Geneva.
2. The session was attended by representatives of the following countries: Austria; Azerbaijan; Belarus; Belgium; Bulgaria; Croatia; Czech Republic; Estonia; Finland; France; Germany; Greece; Hungary; Italy; Kazakhstan; Kyrgyzstan; Latvia; Lithuania; Moldova; Netherlands; Norway; Poland; Romania; Russian Federation; Serbia; Slovakia; Slovenia; Spain; Sweden; Turkey; Ukraine; Uzbekistan. Representatives of the European Community (EC) were also present.
3. The following intergovernmental organizations were represented: the Organization for Cooperation between Railways (OSJD) and the Intergovernmental Organization for International Carriage by Rail (OTIF).
4. The following non-governmental organizations were represented: the International Organization for Standardization (ISO); the International Road Transport Union (IRU) and the International Touring Alliance (AIT & FIA).
5. In his opening statement, on behalf of the Director of the Transport Division, Mr. Michalis Adamantiadis, Chief of the Transport and Infrastructure Development Section, highlighted some important issues included in the agenda of the Working Party pertaining to activities in the field of railway and road transport facilitation. He stressed the importance of the establishment and efficient functioning of transport links as a key prerequisite for socio-economic development of countries in the ECE region and for their integration in the regional and global economy. At the same time, he stressed that non-physical bottlenecks, including divergent national laws and administrative practices and time-consuming border procedures were common in the Euro-Asian region. Noting that this situation tends to make exports of countries, in particular landlocked ECE member countries, uncompetitive in international markets, and that it increases the price of imported goods and prevents the effective participation of these countries in the ongoing process of globalization, he enumerated existing non-physical obstacles to international transport that are a major concern to transport operators. He concluded by emphasizing that only harmonization at international level in line with main transport facilitation conventions and effective implementation of these conventions at national level could reduce the heavy burden imposed on transport operators, which constitute non-tariff barriers to international trade and transport that are penalizing not only the transport activities but the economy as a whole.

II. ADOPTION OF THE AGENDA (Agenda item 1)

6. The Working Party adopted the provisional agenda, prepared by the secretariat (ECE/TRANS/WP.30/235).

III. ELECTION OF OFFICERS (Agenda item 2)

7. The Working Party re-elected Mr. Guus Jacobs (the Netherlands) as Chairperson and Mrs. Madeleine Ekstrand (Sweden) as Vice-Chairperson for its sessions in 2008.

IV. ACTIVITIES OF UNECE BODIES AND OTHER UNITED NATIONS ORGANIZATIONS OF INTEREST TO THE WORKING PARTY (Agenda item 3)

8. The Working Party took note that the seventieth annual session of the Inland Transport Committee (ITC) will take place on 19-21 February 2008. The first day will be devoted to a meeting of Ministers of Transport of countries of the Euro-Asian region and should be concluded by the adoption or signing of a joint statement or declaration on the future development of the Euro-Asian Transport Links.

V. ACTIVITIES OF OTHER ORGANIZATIONS AND COUNTRIES OF INTEREST TO THE WORKING PARTY (Agenda item 4)

9. The Working Party was informed by the secretariat about recent activities of the World Customs Organization (WCO). The Working Party took note of the outcome of the tenth meeting of the Administrative Committee for the Customs Convention on Containers, 1972, which took place on 7-8 November 2007 in Brussels. In particular, the Working Party took note of the ongoing discussions about the applicability of ISO standard 1496 to both the Container Convention and the TIR Convention, 1975, which share a common annex on regulations on technical conditions applicable to containers which may be accepted for international transport under Customs seal. The Working Party requested the secretariat to closely liaise with the WCO secretariat on the issue and, if possible, prepare a joint document for further discussion at one of its future sessions. The Working Party took note of a recent initiative of the WCO to elaborate an e-learning course for Customs officers on the TIR Convention. Bearing in mind the unique expertise of the UNECE in this field, the Working Party invited Customs administrations to encourage WCO to seek UNECE's cooperation in this and future activities in relation to the legal instruments in the field of transport administered by UNECE.

10. The Working Party was informed by the International Organization for Standardization (ISO) of progress made in relation to issues mentioned in Informal document No. 5 (2008), in particular with regard to the electronic identification of freight containers, mechanical and electronic seals, the recent publication of electronic seals standards and the progress made on radio frequency identification technology (RFID) application standards and the final issue of ISO 28000 series of standards.

11. The Working Party was briefed by the representative of Belarus of its national experiences in the field of the computerized treatment of TIR Carnets and the real time transmission of data between the Customs authorities of departure and destination, including the transmission of data from Customs to the national association for the purposes of their use within the SafeTIR system and the close cooperation with the Russian Federation in the field of electronic data exchange.

VI. INTERNATIONAL CONVENTION ON THE HARMONIZATION OF FRONTIER CONTROLS OF GOODS, 1982 (“HARMONIZATION CONVENTION”) (Agenda item 5)

A. Status of the Convention

12. The Working Party was informed that the Convention had 50 Contracting Parties, following the accession of Mongolia on 2 November 2007 (Depositary Notification C.N.1045.2007.TREATIES-3). A complete list of Contracting Parties is available at the UNECE Transport Division website.¹ Information about the status of the Convention can be obtained from the UN Treaty Section website (subscription required).² The Working Party took note that the deadline for objection to the new Annex 8 on road transport remains to be 20 February 2008 (Depositary Notification C.N.222.2007.TREATIES-1). Contracting Parties to the Convention were reminded that, in the absence of any objection by that date, the new Annex 8 would become applicable for all Contracting Parties on 20 May 2008 and were requested to verify that a smooth implementation at national level was ensured.

B. Preparation of a new Annex on rail border crossing

13. The Working Party considered document ECE/TRANS/WP.30/2007/11/Rev.1 together with Informal document No. 1 (2008), containing consolidated proposals by the Organization for the Collaboration of Railways (OSJD) and the Intergovernmental Organisation for International Carriage by Rail (OTIF) for the introduction of a new Annex 9 to the Convention. After extensive discussion, the Working Party adopted slight amendments to Articles 4 and 8 of the new Annex 9. Having been informed by the European Community of a general reservation to the text, the Working Party decided to defer further discussions to its next session. The Working Party encouraged the European Community to send its comments before the end of February 2008 to OSJD and OTIF, with the aim to resolve any outstanding issue, and to keep the UNECE secretariat informed of the issues at stake as well as of any progress made.

VII. INTERNATIONAL CONVENTION TO FACILITATE THE CROSSING OF FRONTIERS FOR PASSENGERS AND BAGGAGE CARRIED BY RAIL, OF 10 JANUARY 1952 (Agenda item 6)

14. The Working Party considered document ECE/TRANS/WP.30/2007/12/Rev.1 together with Informal document No. 2 (2008), containing consolidated proposals by OSJD and OTIF for a new International Convention to Facilitate the Crossing of Frontiers in International Railway Passenger Transport. The Working Party discussed 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. The Working Party supported the initiative by the OSJD to hold further consultations with its member countries to establish the relevance of acceding to the 1952 Convention and decided to postpone any further discussion under this agenda item until the outcome of such consultations is known.

¹ <http://www.unece.org/trans/conventn/agreem_cp.html#50>.

² <<http://untreaty.un.org/ENGLISH/bible/englishinternetbible/partI/chapterXI/subchapA/treaty17.asp>>.

VIII. CUSTOMS CONVENTIONS ON THE TEMPORARY IMPORTATION OF PRIVATE ROAD VEHICLES (1954) AND COMMERCIAL ROAD VEHICLES (1956) (Agenda item 7)

A. Status of the Conventions

15. The Working Party took note that the Customs Convention on the Temporary Importation of Private (1954) and Commercial (1956) Road Vehicles had, respectively, 80 and 41 Contracting Parties. Complete lists of Contracting Parties to the two Conventions are available at the UNECE Transport Division website.³ Information about the status of the Conventions can be obtained from the UN Treaty Section website (subscription required).⁴

B. Application of the Conventions

16. The Working Party was informed by the AIT/FIA that, due to time and resource constraints from its side and the absence of close collaboration with the UNECE secretariat, no substantial progress could be reported in the preparation of new comments and best practices to assist in the proper implementation of these two Conventions. The UNECE secretariat was invited to continue to actively encourage accessions to these Conventions and their effective implementation and to take initiative in organizing capacity building seminars in these areas.

IX. RAIL TRANSIT (Agenda item 8)

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

17. The Working Party regretted that, so far, no Contracting Party to the SMGS Agreement had acceded to the Convention on International Customs Transit Procedures for the Carriage of Goods by Rail under Cover of SMGS Consignment Notes and that, as a consequence, the Convention had not yet entered into force. Considering the importance of the new Convention for the harmonization of international rail transit procedures and considering the efforts undertaken to reach an agreement on its text, the Working Party encouraged the Contracting Parties to the SMGS Agreement to accede to the Convention on International Customs Transit Procedures for the Carriage of Goods by Rail under Cover of SMGS Consignments Notes at the earliest possible opportunity, thus facilitating its entry into force. The Working Party took note of the information from the Russian Federation and Belarus that in both countries work is continuing to agree upon issues regarding accession to the Convention.

³ <http://www.unece.org/trans/conventn/agreem_cp.html#50>.

⁴ <<http://untreaty.un.org/ENGLISH/bible/englishinternetbible/partI/chapterXI/subchapA/treaty8.asp>>; <<http://untreaty.un.org/ENGLISH/bible/englishinternetbible/partI/chapterXI/subchapA/treaty10.asp>>.

**X. CUSTOMS CONVENTION ON THE INTERNATIONAL TRANSPORT OF GOODS UNDER COVER OF TIR CARNETS (TIR CONVENTION, 1975)
(Agenda item 9)**

A. Status of the Convention

18. The Working Party took note that the Convention had 68 Contracting Parties. The Working Party welcomed the information that, as of 15 January 2008, it is now possible to establish TIR operations with Montenegro. A complete list of Contracting Parties to the TIR Convention is available at the UNECE website.⁵

B. Revision of the Convention

1. Implementation of Phases I and II of the TIR revision process and examples of best practices

19. The Working Party took note that the secretariat, in the past year, had not received any new information on the implementation of Phases I and II of the TIR revision process, but that Contracting Parties increasingly provided information on the implementation of later amendments (amendments 23-27) to the TIR Convention. In view of this development, the Working Party requested the secretariat to amend the title of this agenda item accordingly and invited Contracting Parties to convey to the secretariat any information about the implementation of the latest amendments to the TIR Convention at the national level.

2. Preparation of Phase III of the TIR revision process

Use of new technologies

20. The Working Party endorsed 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. Furthermore, the Working Party was informed by the Chairperson of GE.1 of the outcome of the thirteenth session of GE.1, which took place in Geneva on 26 and 27 November 2007. The summary report is contained in document ECE/TRANS/WP.30/GE.1/2007/16. Due to the absence of the report in Russian and French, the Working Party decided to postpone endorsement of the report until its next session. The Working Party was informed that the fourteenth session of GE.1 would take place in Geneva on 10 and 11 April 2008.

21. The Working Party welcomed Informal document No. 3 (2008) by the government of Turkey and containing comments to document ECE/TRANS/WP.30/2007/17. After extensive discussion, the Working Party invited the government of Turkey to submit any proposal it would have with regard to the possibility to increase the maximum number of TIR operations and places of loading and unloading per TIR transport to the Working Party for discussion at a future session and requested the secretariat to submit a document clarifying the method of submission of the Customs declaration to Customs as contained in Chapter 2 of the eTIR Reference Model for consideration at its forthcoming session. The representative of the European Community reiterated that the eTIR central system only forwards the TIR declaration data from the Customs

⁵ <http://www.unece.org/trans/conventn/agreem_cp.html>.

authorities of one country to the Customs authorities of another country. Upon arrival at the Customs office of entry en route, the holder remains responsible for confirming the correctness of the data and, thus, for the submission of the Customs declaration, as is the case today.

22. The Working Party decided that, in the future, working documents for GE.1 could be issued in English only. However, agendas and reports should continue to be made available in all three official UNECE working languages, as well as any other document submitted by GE.1 for consideration by other bodies.

3. Amendment proposals for the Convention

23. The Working Party considered documents ECE/TRANS/WP.30/2008/1 and ECE/TRANS/WP.30/2008/1/Corr.1, prepared by the secretariat and containing a consolidated version of all outstanding amendment proposals as of 15 November 2007, using the European Community's proposals as contained in document ECE/TRANS/WP.30/2007/18 as point of reference. The Working Party took note of Informal document No. 6 (2008), submitted by the IRU and pointing at possible impacts 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 took note of Informal document No. 4 (2008), submitted by the Russian Federation, elaborating its support for the proposal to increase the level of the maximum guarantee to sixty thousand euros from fifty thousand United States dollars in the interest of the transport industry and Informal document No. 7 (2008) submitted by the IRU and pointing at possible impacts due to the increase in the level of guarantee to sixty thousand euros from fifty thousand United States dollars.

24. Various Contracting Parties reiterated their view that an increase in the level of guarantee would be beneficial to the sustainability of the TIR system. One Contracting Party, the IRU and some of its member associations voiced strong concerns, fearing that any increase would have a negative impact on the overall costs for the transport industry and national economies. During the discussion, some delegations drew particular attention to the systematic use of Customs escorts in some countries in case the amount of Customs duties and taxes at risk exceeded the guaranteed amount of fifty thousand United States dollars. Within the context of this discussion, the Working Party took note of document ECE/TRANS/WP.30/2008/6, submitted by the IRU and containing its assessment of the application of Article 23 of the Convention. Furthermore, the issue was raised that the difference between the guarantee level inside the European Union and in other countries seemed to be, at least to some extent, a consequence of the fluctuation in currency rates between the United States dollar and the Euro. In the opinion of the delegate of Belarus the current provisions of the TIR Convention already provide for the use of various guarantee levels. The delegation of Belarus gave the Working Party information, demonstrating the need to establish the maximum amount of the guarantee limit for the TIR Carnet at sixty thousand euros, which, in the opinion of the delegation of Belarus is, first and foremost, in the interest of the carriers.

25. The Working Party felt that all these aspects needed to be taken into account when further discussing the issue. Bearing in mind the urgency and importance of this matter, the Russian Federation, supported by Belarus and Ukraine, suggested that the amendment to the Explanatory Note to paragraph 3 to Article 8 on increasing the maximum guarantee level for the

TIR Carnet to sixty thousand euros be separated from the consolidated amendment package and be submitted to the Administrative Committee for consideration and adoption as soon as possible. In response, the Working Party decided to deal with this aspect of the amendment proposals separately and on a priority basis. Therefore, it requested the secretariat to prepare for discussion at its forthcoming meeting a proposal to amend Explanatory Note 0.8.3 to the extent that it would, on the one hand, refer to the guarantee level of sixty thousand euros and, on the other hand, accommodate a regular review if fluctuations in exchange rates would so require, possibly by applying a value based on a basket of various main currencies, such as the Special Drawing Right, introduced by the International Monetary Fund in 1969. In addition, the Working Party requested the secretariat to prepare proposals to introduce an amendment to Article 23 or an Explanatory Note or comment thereto, which would make it clear that Customs authorities should only impose escorts based on risk assessment procedures. In order to facilitate further discussions, the Working Party reminded the IRU and the government of Turkey that it still awaited their impact studies of the increase in the level of the maximum guarantee to sixty thousand euros, as requested at the one-hundred-and-seventeenth session. Finally, the Working Party took note of opinions on the introduction of various levels of guarantees in the TIR system. The IRU was requested and agreed to provide its assessment of the proposal to accommodate multiple guarantee levels within the TIR system, including a possible time frame for its introduction. The IRU further informed the Working Party that it would submit Informal document No. 6 (2008) as formal document for consideration by the Working Party at its next session.

26. In view of the fact that the consolidated version of document ECE/TRANS/WP.30/2008/1 was not available in all three official UNECE languages before the session, the Working Party conducted preliminary considerations of the document and arrived at agreement on the following issues:

- (a) to amend the text Article 1 (q) in English and French only, in accordance with the proposal by the IRU;
- (b) to introduce a new Article 1 (r) in accordance with the proposal by the IRU, but to delete the words “and to centrally print and distribute TIR Carnets”;
- (c) not to adopt a proposal for the introduction of a new Article 1 (s) on a definition of the TIR Carnet and the use of data in electronic format, but to deal with this issue within the context of the eTIR Project;
- (d) not to amend the text of Article 3 (b);
- (e) not to amend Article 4. However, the Working Party requested the secretariat to prepare a draft comment for discussion at its forthcoming session, which should clarify that Customs should not require any payment or deposit of import or export duties and taxes as long as the goods were en route;
- (f) to amend the text of Article 6.2bis in accordance with the proposal by the IRU, but to delete the words “and to centrally print and distribute TIR Carnets” in the first phrase and to reformulate the first part of the second phrase to read as follows: “ The Administrative Committee may revoke the authorization if ...etc.”;

- (g) to amend the text of Article 8, paragraph 1 in accordance with the proposal by the IRU;
- (h) not to amend the text of the existing comments to Article 8, paragraph 1;
- (i) not to delete Article 8, paragraph 2;
- (j) to amend the text of Explanatory Note 0.8.3. so that it would refer to Contracting Parties instead of Customs authorities and to the amount of sixty thousand euros instead of fifty thousand United States dollars. In addition, the Working Party decided that a reference to a regular review due to fluctuations in the exchange rate should be introduced into the text;
- (k) to amend the text of Explanatory Note 0.8.5. in accordance with the proposal by the IRU, but to delete the words “established against the person or persons directly liable and a claim is subsequently”;
- (l) to replace in Article 10, paragraph 2 the word “country” by “ Contracting Party”;
- (m) to amend the Explanatory Note to Article 10, paragraph 2 in accordance with the proposal by the European Community;
- (n) not to adopt the proposal by the IRU to introduce a new Explanatory Note 0.10-3, but to deal with this issue within the context of the eTIR Project;
- (o) to amend the text of Article 11, paragraph 1 in accordance with the proposal by the Russian Federation. However the phrase “The notification of the guaranteeing association shall be made” should be replaced by the phrase “The competent authorities shall notify the guaranteeing association”. The observer from the IRU expressed the view that in accepting this proposal the Working Party diverted from a previous decision taken at its eighty-eight session (TRANS/WP.30/176, paras 32-37). The Chairperson reminded the IRU that, since then, more than ten years had elapsed and that the Working Party was entitled, whenever the occasion arose to assess or re-asses its position. According to the representative from one Contracting Party the decision of the eighty-eight session provided Contracting Parties full flexibility to adopt the text as proposed by the Russian Federation;
- (p) to amend the text of Explanatory Note 0.11-1 in accordance with the various amendment proposals;
- (q) not to amend the comment to Article 11, paragraph 1 on the time limit for notification;
- (r) not to accept the proposal by the IRU for the introduction of Explanatory Note 0.11-1(b);
- (s) to amend the text of Article 11, paragraph 2 in accordance with the proposal by the European Community and the Russian Federation.

27. The Working Party decided that, at its next session it would start its discussions with the proposed amendments to the Explanatory Note to Article 11, paragraph 2. To facilitate its work, the Working Party requested the secretariat to prepare one or more working documents, which would, on the one hand, clearly enumerate all adopted amendments in a concise manner and as

part of the complete legal text of the TIR Convention in all three official UNECE languages and, on the other hand, provide a compact overview of the various, still outstanding, proposals.

C. Application of the Convention

1. Control system for TIR Carnets - IRU SafeTIR

28. The Working Party was informed by the IRU of the functioning of the IRU SafeTIR system. In the period of 1 January to 31 December 2007, IRU received SafeTIR messages for 92 per cent with an average delay of 4 days. 51.6 per cent of messages had been transmitted in real-time (24 hours). Concerning reconciliation requests to Customs authorities to verify the termination of TIR Carnets, IRU issued in the same period 9,245 reconciliation requests and had received replies to 60 per cent of the requests with an average delay of 42 days. IRU pointed out that seven Contracting Parties had sent information in real time in 2007, thus demonstrating, according to the IRU, that real time transmission is fully achievable.

2. Settlement of claims for payments

29. The Working Party was informed by the IRU of the present situation with regard to the settlement of claims for payments made by Customs authorities against national guaranteeing associations. The IRU provided the following figures:

- (a) Between 1 January to 31 December 2007, the IRU received 31,372 notifications/pre-notifications sent by Customs authorities to their national guaranteeing associations;
- (b) The number of pending payment requests per 31 December 2007 amounted to 7,017;
- (c) The claims settled between 1 January and 31 December 2007 amounted to 301, of which 208 claims had been settled without payment.

30. The IRU drew attention to the fact that the number of pre-notifications issued by authorities established in the EU had never been so high and regretted the fact that for the vast majority of the TIR transports concerned by these pre-notifications, the SafeTIR data had been made available by Customs authorities confirming the termination of the relevant TIR operations. This situation was continuing to overload the TIR guarantee chain and transport operators with a meaningless and costly administrative burden and the IRU hoped that the cooperation with the European Community would help to resolve definitely that situation as soon as possible.

3. Re-introduction of the guarantee for sensitive goods and other excluded goods

31. The Working Party took 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. The Working Party took note of the decision by the insurers of the TIR system to restore the guarantee coverage, within certain weight limits, for these goods, but recalled its view, expressed at its one-hundred-and-first session, that any 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). The IRU confirmed that the guarantee is valid up to the weight limits laid down in the list also if the consignment exceeds these limits. The European Community requested the practice of excluding products from the TIR guarantee on Community territory to stop as soon as possible.

4. TIR Handbook

32. 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. After a remark by the IRU, the secretariat confirmed that the Chapter on best practices would be updated in the next version of the TIR Handbook to take into account the entry into force of Annex 10 to the Convention.

33. 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 website. Hard copies and CD-ROM's can be obtained from the secretariat.

5. Other matters

34. The Working Party did not consider other issues or difficulties in the application of the Convention faced by Customs authorities, national associations, the international insurers or the IRU.

XI. PREVENTION OF THE ABUSE OF CUSTOMS TRANSIT SYSTEMS BY SMUGGLERS (Agenda item 10)

35. No new issues were reported concerning this question.

36. The Working Party was briefed by the secretariat that, so far, no information had been received and exchanged by means of the use of the Fraud Report Form (FRF). Contracting Parties were encouraged to use the FRF with a view to contributing to combat fraud committed against the TIR system.

XII. PROGRAMME OF WORK FOR 2008 TO 2012 (Agenda item 11)

37. The Working Party adopted its Work Programme for the years 2008 to 2012 as contained in the annex to the report. The Working Party reminded delegations of its decision to initiate an annual transmission of country reports, with a view to providing delegations with a better understanding of developments in the field of border crossing facilitation in the UNECE region (TRANS/WP.30/220, para. 50).

38. Delegations were invited to transmit their country reports to the secretariat before 1 March 2008. Such reports, which should, in general, not be of a length of more than one and a half normal page, should, at least, include the following elements:

- (a) Developments, trends and planning:
 - (i) New legislation, procedures and best practices which in particular impact UNECE and other international legal instruments on border crossing facilitation;
 - (ii) Traffic developments, developments in the use of various UNECE legal instruments (e.g. figures on the use of TIR, Temporary Importation, Container Conventions etc.);
 - (iii) New border posts.
- (b) Obstacles, difficulties and infringements:
 - (i) Examples of type cases or specific cases where problems have arisen which could be of interest to other countries;
 - (ii) Issues that could negatively impact existing UNECE legal instruments or issues that could be potential areas of interest/work for UNECE;
 - (iii) General figures concerning infringements of UNECE legal instruments (TRANS/WP.30/2005/21).

XIII. OTHER BUSINESS (Agenda item 12)

A. Dates of the next sessions

39. The Working Party decided to hold its one-hundred-and-nineteenth session from 2 to 5 June 2008. The secretariat has made arrangements for the one-hundred-and-twentieth session to be held during the week of 6 to 10 October 2008, in conjunction with the forty-sixth session of the TIR Administrative Committee.

B. Restriction on the distribution of documents

40. The Working Party decided that there were no restrictions with respect to the distribution of documents issued in connection with its current session.

XIV. ADOPTION OF THE REPORT (Agenda item 13)

41. The Working Party adopted the report on its one-hundred-and-eighteenth session on the basis of a draft prepared by the secretariat.

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; 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.

- (b) 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

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.

(c) 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.

(d) 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.

(e) 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.

(f) 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.
