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Inland Transport Committee

Working Party on Customs Questions affecting Transport

125th session

Geneva, 25–28 May 2010

Annotated Provisional Agenda for the 125th Session

To be held at the Palais des Nations, Geneva, starting at 15.00 hours on Tuesday, 25 May 2010^{1,2}

I. Provisional Agenda

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 and countries of interest to the Working Party.

¹ For reasons of economy, delegates are requested to bring copies of the documents mentioned in this provisional agenda to the meeting. There will be no official documentation available in the meeting room. Before the meeting, 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).

² The full text of the Conventions as well as complete lists of Contracting Parties to the Conventions referred to in this agenda are available on the UNECE website: <<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 75975). For a map of the Palais des Nations and other useful information, see website <<http://www.unece.org/meetings/practical.htm>>.

4. International Convention on the Harmonization of Frontier Controls of Goods, 1982 (“Harmonization Convention”):
 - (a) Status of the Convention;
 - (b) Annex 8 on road transport;
 - (c) Preparation of a new Annex on rail border crossing.
5. International Convention to Facilitate the Crossing of Frontiers for Passengers and Baggage carried by Rail, of 10 January 1952.
6. Rail transit.
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. Other UNECE legal instruments for border crossing facilitation.
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) Preparation of Phase III of the TIR revision process;
 - (ii) 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) Review of Annex 10 of the Convention;
 - (iv) TIR Handbook;
 - (v) Application of the TIR Convention in a Customs union with a single Customs territory;
 - (vi) Other matters.
10. Prevention of the abuse of Customs transit systems by smugglers.
11. Other business:
 - (a) Dates of the next sessions;
 - (b) Restriction on the distribution of documents.
12. Adoption of the report.

II. Annotations to the Provisional Agenda

Item 1

Adoption of the agenda

Documentation: ECE/TRANS/WP.30/249

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.30/249).

Item 2

Activities of UNECE bodies and other United Nations organizations of interest to the Working Party

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

Item 3

Activities of other organizations and countries of interest to the Working Party

Documentation: ECE/TRANS/WP.30/2010/8

3. The Working Party may wish to take note of recent activities by the World Customs Organization (WCO), the European Commission (DG TAXUD) as well as by other organizations, both governmental and non-governmental, and countries as far as they relate to matters of interest to the Working Party.

4. The Working Party may also wish to recall its earlier discussions on the implementation of the WCO Framework of Standards to Secure and Facilitate Global Trade (SAFE) (ECE/TRANS/WP.30/242, paras. 9-13) and its mandate to the secretariat to conduct a study on the implications of SAFE for the UNECE legal instruments in the area of border crossing facilitation (ECE/TRANS/WP.30/246, para. 10). At its previous session, the Working Party briefly considered such a study, as contained in document ECE/TRANS/WP.30/2010/1. Given the complexity of the issues at stake and the availability of the underlying document in English only, the Working Party requested the secretariat to take the necessary steps to have it translated and decided to continue discussions at the present session. In line with this request, the secretariat re-issued the study as document ECE/TRANS/WP.30/2010/8 for translation into the other official UNECE languages.

Item 4

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

(a) Status of the Convention

5. The Working Party will be informed of the current status of the Harmonization Convention and the forthcoming meeting of its Administrative Committee (AC.3) on 27 May 2010.

(b) Annex 8 on road transport

Documentation: ECE/TRANS/WP.30/2009/8, Informal document No. 3 (2010)

6. The Working Party may wish to note the status of replies to the survey concerning the implementation of Annex 8 at the national level and its preliminary results (Informal document No. 3 (2010)).

7. The Working Party will also be informed of the preparation of the OSCE-UNECE Handbook on best practices at border crossings, including the chapter on border crossing performance indicators.

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

Documentation: ECE/TRANS/WP.30/2009/2/Rev.2

8. The Working Party may wish to recall that, at its previous session, it had approved the revised text of a new Annex 9 to the Harmonization Convention, as contained in document ECE/TRANS/WP.30/2009/2/Rev.2, subject to the deletion of the footnote in Article 8.1, and decided to transmit it to AC.3 for adoption. The secretariat was mandated to convene a session of the Administrative Committee of the Harmonization Convention (AC.3) on 27 May 2010, in conjunction with the present meeting of the Working Party on Customs Questions affecting Transport (WP.30) (ECE/TRANS/WP.30/248, para. 14).

Item 5

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

Documentation: ECE/TRANS/WP.30/2010/9

9. At its previous session, the Working Party noted that the secretariat, in close liaison with the United Nations Treaty Section, had considered that the introduction of a standard amendment clause in the 1952 Convention could be done by means of an additional protocol which must be signed by all Contracting Parties to the Convention and would prepare a draft proposal for the present WP.30 session (ECE/TRANS/WP.30/248, para. 15). Against this background, the Working Party may wish to consider document ECE/TRANS/WP.30/2010/9 containing proposals by the secretariat.

Item 6

Rail transit

10. At its previous session, the Working Party noted that no new countries had acceded to the Convention on International Customs Transit Procedures for the Carriage of Goods by Rail under Cover of Agreement on International Goods Transport by Rail (SMGS) Consignment Note. In this respect, the representative of the Russian Federation informed of continued internal approval procedures (ECE/TRANS/WP.30/248, para. 16). The Working Party will be informed of further progress in this area.

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; ECE/TRANS/108

(a) **Status of the Conventions**

11. 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.

(b) **Application of the Conventions**

12. The Working Party may wish to be informed by the International Touring Alliance and the International Automobile Federation (AIT/FIA) of the application of the Conventions at the national level.

Item 8

Other UNECE legal instruments on border crossing facilitation

Documentation: ECE/TRANS/WP.30/2010/2

13. At its previous session, the Working Party took note of document ECE/TRANS/WP.30/2010/2, containing an overview of some UNECE conventions on border crossing facilitation, in order to assess their coherence with other international or regional treaties and to keep them in line with modern transport and border control requirements. Delegations were invited to study this document with a view to identifying which agreements would require specific attention of WP.30 in the future (ECE/TRANS/WP.30/248, para. 19). The Working Party may wish to have an exchange of views in this respect.

Item 9

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

Documentation: ECE/TRANS/17 and Amends.1-28; 2010 TIR Handbook³

(a) **Status of the Convention**

14. The Working Party will be informed of changes in the status of the TIR Convention, if any.

(b) **Revision of the Convention**

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

Use of new technologies

Documentation: ECE/TRANS/WP.30/GE.1/2010/4

15. The Working Party will be informed of the latest developments in the area of the eTIR project and the work of the Informal Ad hoc Expert Group on Conceptual and Technical aspects of Computerization of the TIR Procedure (GE.1), in particular the outcome of its seventeenth session which is scheduled to be held in Helsinki on 8 and 9 March 2010 (ECE/TRANS/WP.30/GE.1/2010/4).

³ <<http://tir.unece.org>>.

(ii) *Amendment proposals for the Convention*

Documentation: ECE/TRANS/WP.30/2010/4; ECE/TRANS/WP.30/2010/10

16. At its previous session, the Working Party held its first deliberations on document ECE/TRANS/WP.30/2010/4, containing proposals for the introduction of a new Annex 9, Part III of the Convention on the authorization of an international organization to take on the responsibility for the effective organization and functioning of an international guarantee system and to print and distribute TIR Carnets. The Working Party took particular note of the audit provisions which had been introduced in the text in consultation with the competent United Nations services. The representative of the International Road Transport Union (IRU) pointed out that the issues of financial responsibility and confidentiality should be addressed in the framework of applicable national law. He also noted that the new amendment proposals would provide for numerous audits of an international organization and might create difficulties in the functioning of the guarantee system. In reply to concerns expressed by the IRU, the secretariat informed that the purpose of the newly-introduced provisions was to ensure that the audit requirements encompass the full scope of the authorization granted by the Administrative Committee. The Working Party expressed its general support to the proposed text, but requested the secretariat to provide, at its next session, more details with regard to which persons, other than the United Nations Office of Internal Oversight Services (OIOS) and the United Nations Board of Auditors (BOA), should be allowed access to relevant records and accounts of the international organization. The Working Party looked forward to the availability at the next session of the document in the three working languages in order to continue its discussions and, possibly, reach a final decision (ECE/TRANS/WP.30/248, para. 25). Following the above request, the secretariat re-issued document ECE/TRANS/WP.30/2010/4 as document ECE/TRANS/WP.30/2010/10 for translation into French and Russian.

(c) **Application of the Convention**

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

17. The Working Party will be informed by IRU of the latest statistical data regarding the performance of Contracting Parties in the SafeTIR system.

(ii) *Settlement of claims for payments*

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

(iii) *Review of Annex 10 of the Convention*

19. At its previous session, the Working Party noted that the TIR Executive Board (TIRExB) had finalized a new example of best practice concerning the implementation of Annex 10 at the national level and submitted it to the TIR Administrative Committee (AC.2) for adoption (ECE/TRANS/WP.30/248, para. 28). The Working Party will be informed of the AC.2 considerations.

(iv) *TIR Handbook*

Documentation: 2010 TIR Handbook⁴

⁴ <<http://tir.unece.org>>.

20. At its previous session, the Working Party was informed that the 2010 version of the TIR Handbook had been finalized and published on the TIR website in English, French and Russian. Hard copies would also soon be available. The Arabic, Chinese and Spanish language versions of the 2010 Handbook were under preparation (ECE/TRANS/WP.30/248, para. 29). The Working Party will be informed of further progress in this area.

(v) *Application of the TIR Convention in a Customs union with a single Customs territory*

Documentation: ECE/TRANS/WP.30/2010/6

21. At its previous session, the Working Party was informed of the developments in the Customs union between Belarus, Kazakhstan and the Russian Federation, including the adoption of a common Customs Code of the Customs Union and its entry into force on 1 July 2010. The Working Party stressed that the member States of a Customs union were free to apply various solutions, but should ensure the smooth functioning of the TIR procedure in the Customs union, so that its establishment would lead to further facilitation rather than to new barriers for international transport and trade (ECE/TRANS/WP.30/248, para. 32). In this context, the delegations of the three countries in question are invited to provide the Working Party with detailed information on the functioning of the TIR procedure in the new Customs union.

(vi) *Other matters*

22. 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.

Item 10

Prevention of the abuse of Customs transit systems by smugglers

23. 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. 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).

Item 11

Other business

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

24. The Working Party may wish to decide on the dates of its next sessions. The secretariat has already made arrangements for the 126th session to be held in the week of 27 September - 1 October 2010.

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

25. The Working Party should decide whether or not there shall be any restrictions with respect to the distribution of documents issued in connection with its current session.

Item 12
Adoption of the report

26. In accordance with established practice, the Working Party will adopt the report on its 125th 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.
