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**ECONOMIC COMMISSION FOR EUROPE  
INLAND TRANSPORT COMMITTEE**  
(Sixty-fifth session, 18-20 February 2003,  
agenda item 8)

**TRANSPORT AND SECURITY**

**Note by the secretariat**

**BACKGROUND**

1. The Committee may wish to recall that at its sixty-fourth session it considered the question of transport and security on the basis of a document prepared by the secretariat (TRANS/2002/15). The Committee took note that existing UNECE transport regulations already contain a number of security related provisions. The Committee requested its subsidiary bodies to identify, within their respective fields of competence, the differences between “security” and “safety” concepts and the relevant concrete questions that could be addressed in this respect taking into account the work and studies undertaken by other organs, in particular by the European Conference of Ministers of Transport (ECMT).
2. The Economic Commission of Europe, at its fifty-seventh session, supported the endeavours of United Nations agencies to ensure a more secure and safe environment and took note of the work of the secretariat. In this respect, the Commission stressed that UNECE should avoid duplicating the work of other competent regional or international organizations. The Commission invited its principal subsidiary bodies to consider carefully their work programmes in the context of security and safety.

## **TRANSPORT AND SECURITY DEVELOPMENTS IN THE FRAMEWORK OF OTHER RELEVANT INTERGOVERNMENTAL ORGANIZATIONS**

3. The Committee may wish to take note of the declaration on Transport Security and Terrorism adopted by the ECMT Council of Ministers on 29-30 May 2002 in Bucharest (Romania). The Declaration is contained in annex 1 to this document. The Declaration, in particular, requests the ECMT to monitor developments in improving transport security and share best practices across the transport sector and to work with other intergovernmental organizations such as the Organization for Economic Co-operation and Development (OECD) and the International Maritime Organization (IMO) whilst seeking ways to combined efficiency and security improvements in transport systems and preventing inconsistent and incompatible security requirements among modes. The Declaration also requests UNECE, in line with the decision of the Committee, to conduct a review of its legal instruments to verify that they adequately take into consideration implications for transport security.

4. The Committee may also wish to take note of developments concerning maritime and port security under the auspices of the IMO, which is expected to adopt a comprehensive package of new security measures for international shipping at a Diplomatic Conference meeting in December 2002. The Conference will be invited to adopt amendments to the Safety of Life at Sea Convention (SOLAS), including a proposed International Ship and Port Facility Security (ISPS) Code, which would be implemented through a new chapter of the Convention. The Code is designed to provide a standardized and consistent framework for evaluating risk, enabling Governments to determine the appropriate response to the level of threat and vulnerability, which exists. The amendments will also include provisions for port facilities. The new security package could also have an impact on regulations concerning inland waterways transport.

5. The Committee may also wish to note that the World Customs Organization (WCO) has adopted a Resolution on Security and Facilitation of the International Trade Supply Chain. The Resolution is contained in annex 2 to this document. As a follow-up to the resolution, the WCO has established a task force to examine if and how security issues are and could be addressed in the framework of international Customs and trade facilitation regulations. The task force has been charged with examining a number of specific issues such as tools for identifying high-risk goods, advanced electronic transmission of Customs data, data protection, revision of the 1972 Customs Convention on Containers, etc.

## CONCLUSIONS OF ITC SUBSIDIARY BODIES

6. The subsidiary bodies of the Committee have, during their respective sessions in 2002, considered the question of transport and security, according to the request of the Committee, and have reached the following conclusions.

(a) Vehicle regulations

7. The World Forum for Harmonization of Vehicle Regulations, at its one-hundred-and-twenty-eighth session, was of the opinion that the questions concerning protection of vehicles against theft (unauthorized use) and intelligent transport systems were the key areas of its contribution to the consideration of security in transport (TRANS/WP.29/885, para. 26). In this context, the Working Party will, at its future sessions, consider a proposed new draft Regulation on uniform technical prescriptions concerning the protection of motor vehicles against unauthorized use. The Working Party will also consider how to use intelligent transport systems in the monitoring of vehicle movements.

(b) Dangerous Goods and Special Cargoes

8. The Working Party on the Transport of Dangerous Goods, at its seventy-third session, and the ECOSOC Sub-Committee of Experts on the Transport of Dangerous Goods, at its twenty-second session, considered a proposal that aims at introducing into the ADR a reliable system for the identification of drivers who are subject to the obligation of holding a training certificate. The subgroup adopted the proposals with some modifications. As a result, all legal instruments addressing transport of dangerous goods, for all modes of transport at world-wide level, are likely to be amended thereafter and the security provisions would enter into force on 1 January 2005 (ST/SG/AC.10/C.3/2002/44). However these issues remain very controversial, and several European experts at the session indicated that, although these new provisions would probably be implemented in their countries, they might have to be implemented under specific national legislation falling outside the scope of responsibility of the Ministries of Transport.

(c) Road Transport and Road Safety

9. The Working Party on Traffic Safety, at its thirty-ninth session, recognized that security concerns did touch items on its agenda, including conditions for the issuance of driving permits. This aspect will be considered further in discussions on current proposals to amend annexes 6 (domestic driving permits) and 7 (international driving permits) of the Vienna Convention on Road (TRANS/WP.1/85).

10. The Working Party on Road Transport, at its ninety-sixth session, discussed the Consolidated

Resolution on the Facilitation of International Road Transport (R.E.4) and border crossing. It was decided to add provisions to R.E.4 on access to the profession of road transport operator, which has indirect implications for security. The Working Party requested the Ad hoc Meeting on the Implementation of the AGR (Geneva, 6-7 May 2003) to discuss the issue of security aspects of transport infrastructures and particularly tunnels (TRANS/SC.1/371).

11. Both Working Parties decided to keep abreast of work under way in the OECD Research Committee and in ECMT to avoid any duplication of work.

(d) Infrastructure networks, including rail, combined and inland waterways transport

12. The Working Party on Rail Transport, at its fifty-sixth session, noting that discussions of these issues are ongoing in the European Conference of Ministers of Transport (ECMT), European Union (EU), International Union of Railways (UIC) and other transport fora, decided to adopt (i) the definition of railway safety as "the socially required level of absence of risk of danger in the train transport system where risk relates to personal accident, injury or material damage; and (ii) the definition of security in railways: "the protection of human beings, transport means and transport infrastructure against unauthorized and unexpected actions of any kind" as proposed by the Chairman. The Working Party further decided to await the finalization of the discussions in other international organizations (UIC - COLPOFER, ECMT, EC) before undertaking further discussion of the issue in relation to European railway transport. Nevertheless, the Working Party reiterated that the question of security and safety provisions for railway tunnels in particular would be monitored closely. In addition, the Working Party noted that member countries are regularly reporting new developments related to railway safety issues to the secretariat thus complying with the request of the Inland Transport Committee.

13. The Working Party on Inland Water Transport, at its forty-sixth session, requested its subsidiary body, the Working Party on the Standardization of Technical and Safety Requirements in Inland Navigation to study if there was a need for amendment of the AGN Agreement, the European Code for Inland Waterways (CEVNI), the Recommendations on Technical Requirements for Inland Navigation Vessels (annex to resolution No. 17, revised) and/or any other UNECE instruments concerning inland navigation with provisions aimed at enhancing security on board vessels when under way and in ports, and make its recommendations in this regard available to the Working Party for further considerations. The secretariat was requested to prepare a synthesis of the initiatives in this field undertaken within relevant international organizations of relevance to inland navigation; and Governments and international organizations were invited to transmit their contributions on this issue, in particular, on work being done in their respective countries and organizations of relevance to inland navigation. The Working Party will come back to the issue of transport and security at its forty-seventh session and report to the Committee accordingly (TRANS/SC.3/158, para. 4).

14. The Working Party on Combined Transport, at its thirty-eighth session, took note that this issue is being discussed in the International Maritime Organization (IMO) and the International Standardization Organization (ISO). In particular, the use of intelligent sealing devices in combination with the unique global owners' code for containers administered by the International Container Bureau (BIC) was considered to provide important elements to improve security. After an in-depth discussion, the Working Party decided to await the finalization of the discussions in other international organizations before undertaking further discussions of the issue in relation to European overland combined transport. Nevertheless, the Working Party noted that the question of security and safety provisions for terminals should be monitored closely. The Working Party requested the secretariat to prepare a synthesis of the initiatives in this field with relevance to combined transport for its next session. The Working Party invited Governments and non-governmental organizations to submit their contributions on this issue to the secretariat, in particular on work that is being done in their respective countries or organizations on safety and security in combined transport (TRANS/WP.24/97, para. 59).

(e) Border Crossing Facilitation

15. At its one-hundred-and-second session, the Working Party on Customs Questions affecting Transport took note of a Resolution adopted by the World Customs Organization (WCO) on "Security and Facilitation of the International Trade Supply Chain", and the follow-up action to establish a task-force to examine the question in further detail (TRANS/WP.30/2002/26). The Working Party decided to monitor closely progress made by WCO in this field and to consider, at its future sessions, all relevant issues deriving from this work (TRANS/WP.30/204, para .7).

## **CONCLUSIONS**

16. The Committee may wish to endorse the activities of its subsidiary bodies in the field of transport and security.

17. In order to consider possible additional initiatives in this field the Committee may also wish to take note of measures taken in this field at national level by Governments and to identify and decide on specific actions to be taken at international level regarding transport security.

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**Annex 1**

**MINISTERIAL DECLARATION ON COMBATING TERRORISM IN TRANSPORT**

We the Ministers of Transport of the Member and Associate Member Countries of the European Conference of Ministers of Transport, having met in Council on 29-30 May 2002 in Bucharest, Romania:

**CONDEMNING** the horrific terrorist attacks of 11 September 2001 on the World Trade Center in New York and on the Pentagon in Washington, D.C.;

**CONSCIOUS** that the nature of these attacks – the magnitude of physical destruction and loss of life, as well as the use of transport vehicles as means to perpetrate these acts of violence – has changed the context in which transport security policy is developed and implemented across modes;

**EXPRESSING** our determination to work at national and international levels to ensure that transport is able to exercise its vital role in society and the economy, unhindered by the threat of terrorist actions.

**NOTING** the work in several fora to address terrorism and transport, including:

- the Transport Ministers' Statement on Counter-Terrorism in maritime and aviation transport of 15 January 2002 in Tokyo;
- the Declaration endorsing the establishment of a comprehensive Aviation Security Plan of Action at the ICAO Ministerial Conference on Aviation Security issued at the Ministerial Conference on Aviation Security in Montreal, 19-20 February 2002;
- work within international bodies such as ECAC, IMO, the G8, UNECE, the EC and OECD to review and strengthen counter-terrorism initiatives within the transport sector; and efforts of international industry entities such as the UIC and IRU to enhance understanding of industry's concerns relative to transport terrorism and effective measures to improve security.

**AWARE** that:

- most activities to enhance security since 11 September 2001 have been planned and implemented within individual modes, necessitating a more global approach to security covering all links in the transport chain;
- whilst in place for aviation and maritime, a multilateral framework for discussion on terrorism in transport is necessary for surface modes.

**CONSIDERING** the need to find an appropriate balance between:

- improving security and ensuring the smooth flow of goods and people nationally and internationally;
- the need for transparency in an exchange of ideas and best practice with other countries and the importance of confidentiality in order to ensure the efficacy of measures.

**AGREE** to:

- Continue to work on implementing Resolutions 1986/58 on Aviation Security as well as 1997/2 and 1999/3 on crime in transport;
- Promote a co-ordinated intermodal approach to security in the transport sector in our countries in co-ordination with other relevant bodies in our governments;
- Share to the extent possible our experience and best practice on transport security and counter-terrorism with other governments in order to further understanding and co-operation in this area;
- Provide support as needed for risk and vulnerability assessments as well as training for personnel on emergency procedures within and between modes and on regional and local levels;
- Seek measures that create complementarity among security, safety and counter-terrorism initiatives.

**REQUEST** ECMT to:

- Develop its work on security and terrorism;
- Monitor developments in improving transport security and share experience on good practice across the transport sector among Member and Associate Members;
- Work with OECD, ECAC, and IMO to bring issues and experiences from the aviation and shipping sectors to Ministers' attention and to ensure, as far as practicable, a consistent approach across different modes;
- Seek ways to combine efficiency and security improvements in the transport system with measures combating terrorism, for example by examining effective ways of tracking goods along the transport chain to prevent inconsistent and incompatible security requirements among modes.

**REQUEST UN/ECE to:**

- Conduct a review of their legal instruments to verify that they adequately take into consideration implications for transport security since the attacks of 11 September 2001.
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**Annex 2**

**Resolution of the Customs Co-operation Council  
on Security and Facilitation of the International Trade Supply Chain  
June 2002**

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THE CUSTOMS CO-OPERATION COUNCIL<sup>1</sup>,

NOTING

- (1) the increased global concern with respect to acts of international terrorism and organized crime, including money laundering;
- (2) the importance and vulnerability of global trade;
- (3) the need to secure and protect the international trade supply chain from being used for acts of terrorism or other criminal activity while ensuring continued improvements in trade facilitation without unnecessarily increasing costs; and
- (4) the critical role and special expertise of Customs administrations in protecting society, combating commercial fraud, facilitating regional and international trade, and controlling the cross-border movement of goods and conveyances.

BELIEVING

- (1) in the need to ensure that the world Customs community makes a dynamic and vigorous contribution to securing and facilitating world trade;
- (2) that the WCO must and can assist in enhancing the capability of Customs administrations to increasingly collaborate to enhance the enforcement and facilitation capabilities of Members by encouraging greater harmonization, standardization and international guidelines which will create a basis for better international co-operation;
- (3) that Members must co-operate as necessary to develop mechanisms to assist in the exchange of information between them;
- (4) in the importance of co-operative relationships between and among Members,

other government agencies, relevant international bodies and the private sector;

- (5) in the importance of advance transmission of standardized Customs data to identify those goods and conveyances that may pose a security risk and to facilitate the movement of legitimate trade;
- (6) in the importance of the effective implementation of risk management, risk assessment and targeting techniques;
- (7) that all Contracting Parties to the International Convention on the Simplification and Harmonization of Customs Procedures (Kyoto Convention) must accede to the Protocol of Amendment which embodies the principles of modern Customs procedures and administration; and that on entry into force of the Protocol, all other Members who are not Contracting Parties should be urged to accede to the Kyoto Convention as amended; and
- (8) that the implementation of pilot projects between or among Members, aimed at enhancing the security and facilitation of international trade, should be encouraged.

RESOLVES AS FOLLOWS :

The Secretary General shall :

- (1) Ensure that :
  - i. by June 2003, the WCO Data Model is reexamined to ensure it includes a standardized set of data elements necessary to identify high-risk goods;
  - ii. by June 2003, Guidelines are developed to assist Members in developing a legal basis and other necessary steps to enable the advance electronic transmission of Customs data;
  - iii. by June 2003, Guidelines are developed for cooperative arrangements between Members and private industry to increase supply chain security and facilitate the flow of international trade;
  - iv. the expeditious use by Members of the tools contemplated in items i to iii is promoted;

<sup>1</sup> Customs Co-operation Council is the official name of the World Customs Organization (WCO).

- v. Members' needs for assistance in establishing supply chain security regimes are identified and a capacity building strategy is developed to assist Members in implementing this Resolution;
  - vi. donors are identified and invited to contribute financial, human and other resources to advance the development and implementation of supply chain security regimes;
  - vii. measures are taken to strengthen the assistance offered to Members wishing to improve the security and facilitation of the international supply chain by, for example, enhancing import, export and in-transit control efforts, improving automation, using risk management and risk assessment techniques to select goods and conveyances for examination, improving technology, and ensuring the integrity of their personnel; and
  - viii. a data bank is created on advanced technology and techniques to enhance supply chain security and facilitation.
- (2) Provide for the development and implementation of the measures contemplated in this Resolution, in the framework of the WCO Strategic Plan and with the assistance of a task force of experts from within the Council Membership who, taking into account the differing capabilities and needs of Members, shall :
- i. work with other competent authorities (such as the European Union, Port Authorities, Border Agencies, Transportation Authorities and Customs Unions that have competency in this area); and
  - ii. consult with, and involve, trade, non-governmental and intergovernmental organization stakeholders.
- (3) Beginning in December 2002, report regularly to the Policy Commission and the Council on the progress made with the development and implementation of this Resolution. The Policy Commission and the Council will determine further action to be taken.
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