

UNECE Working Party on Customs Questions affecting Transport (WP.30)
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My name is Artur Bouten and I am here to tell you a little bit about the highlights in the activities of the border crossing facilitation section of the UNECE Sustainable Transport Division, where we deal with the TIR and Harmonization Conventions as well as with a number of other legal instruments in the field of border crossing facilitation, such as temporary importation conventions or the container convention. This work is mainly conducted by the Working Party on Customs Questions affecting Transport (WP.30)

First of all, 2015 was characterized by discussions on an important package of amendment proposals to the TIR Convention. The gist of these proposals is to change the current practice of working with a single, international, flat rate guarantee of, mostly 60,000 euros, into a more flexible system with either various guarantee levels or even guarantee coverage up to the maximum amount of customs duties and taxes at stake. After an extensive assessment, current findings show that each alternative guarantee scenario both has advantages and disadvantages when compared to the current practice, so discussions have come to standstill. At the same time, however, the International Road Transport Union has announced that, per 1 July 2016, it will raise its guarantee coverage from 60,000 to 100,000 euros per TIR Carnet, which is already a major step forward, considering that many problems are currently caused because some transports exceed 60,000 euros in customs duties and taxes and customs then often feel compelled to prescribe a customs escort. This at the cost of the transporter, with considerable loss of time.

Amendments that have been adopted aim at improving the obligation of Contracting Parties to report new legislation which affects TIR transports prior to its entry into force, in accordance with Article 42 bis of the Convention. Further, a new design of vehicles and containers with sliding sheets has been added to the technical Annexes 2 and 7 of the Convention.

2015 was the years where various successful eTIR Pilot Projects have started, with the aim to showcase the efforts to computerize the TIR system (eTIR), by replacing the paper TIR Carnet with a set of electronic messages, to be exchanged between the various stakeholders through an international platform, the so-called eTIR international system. The Pilot Project between Iran (Islamic Republic of) and Turkey has finalized its first step, where the principles have been tested with just two operators and two customs offices and we are now preparing the second step, where more operators and more customs offices will be involved and transports are no longer limited to the two countries but also transit transports will be included. Another pilot project, between Turkey and Georgia is also underway, within the context of the so-called UNDA.

In order to fully prepare for eTIR, work has started on the legal amendments to the TIR Convention. An expert group is currently exploring the various options and should report by the end of 2017 how to proceed.

On 21 July 2015 Pakistan acceded to the TIR Convention, as 69th Contracting Party. With it, all member states of the Economic Cooperation Organization (ECO) are now party to this important customs transit system. Efforts are currently underway to get the TIR system started for Pakistan. Furthermore, everybody is anxiously awaiting the accession of China to the Convention, which should take place before long.

However, not all is good news. 2015 continued to be marked by the ongoing crisis in the application of the TIR Convention in the territory of the Russian Federation, without any serious positive development. At last, per 22 January 2016, a decree with a list of 45 border crossing points open for TIR at various Russian external borders entered into force, which should ease the situation. Although it is appreciated as a first step in the right direction, neighbouring countries complain about not having been or not sufficiently having been consulted on the composition of the list and the absence of some major border crossing points.

2015 also saw the start of discussions on a new Annex to the Harmonization Convention of 1982. This Convention already has dedicated Annexes to facilitate road and rail transport. Now efforts are underway to also draft an

Annex on the facilitation of procedures at seaports. Of course, because such discussions involve a variety of stakeholders, discussions are not easy, but progress is being made.

Also, in 2015, at the request of, in particular, a number of Eastern European countries, discussions have been revitalized to replace the 1952 Convention on the crossing of frontiers for passengers and baggage carried by rail, which is considered to be outdated or even having become obsolete, by a new Convention. Discussions are under way.

Finally, the WP.30, in 2015, established a new set of Terms of Reference and Rules of Procedure. For the future, non-ECE member states will be considered as full members for agenda items dealing with legal instruments to which they are Contracting Party.

Dear Participants, my name is Tarcisio Hardman Reis and I would like to follow up on the presentation of my colleague by highlighting three current areas for which the UN conventions on border crossing facilitation, in particular the TIR and the Harmonization Conventions, are particularly relevant:

- The WTO Trade Facilitation Agreement

As pointed out by my colleague, with the imminent entry into force of the WTO Trade Facilitation Agreement, we will have a worldwide framework for trade that calls for more efficient border crossing and better customs cooperation. The TIR and the Harmonization Conventions provide for the practical implementation of the TFA as they put into place specific provisions that allow for a coordinated implementation for example of articles 7 on the clearance of goods, art. 11 on the freedom of transit and art. 8 on border agency cooperation.

- The Sustainable Development Goals

In the recent resolution of the United Nations General Assembly establishing Sustainable Development Goals to be achieved by 2030, it is possible to note that transport is not covered by a specific goal in itself but it is directly referred by at least 10 of the goals.

Goals 9, 12 and 17 in particular calls for actions related to border crossing facilitation such as enhancing transborder infrastructure, addressing the needs of landlocked countries, promote a multilateral trade system and ensuring a secure supply chain for food.

Once again, the TIR and the Harmonization Convention can help countries responding to these goals.

- The Vienna Programme of Action for Landlocked countries

The Vienna Programme of Action for Landlocked countries was adopted in 2014 and sets objectives for landlocked countries until 2024. It defines a number of priorities including international trade, infrastructure development, regional integration, etc. In this context, I would like to highlight priority 1 of the Vienna Programme of Action, which covers fundamental transit policy issues and calls for the accession of relevant legal instruments related to transit transport and trade facilitation.

To conclude, I would like to emphasize that UN conventions on border crossing facilitation are closely related to a number of the international “hot topics” and they are open for global ratification. The UNECE remains available for any information related to these conventions.