

**Economic and Social Council**Distr.: General  
8 December 2021

Original: English

**Economic Commission for Europe****Inland Transport Committee****Eighty-fourth session**

Geneva, 22–25 February 2022

Item 9 (o) of the provisional agenda

**Strategic questions of a horizontal and cross-sectoral policy or regulatory nature:****Strengthening border crossing facilitation****(TIR Convention, eTIR project, Harmonization Convention and other customs transit facilitation measures)****Strengthening border crossing facilitation (TIR Convention, eTIR project, Harmonization Convention and other customs transit facilitation measures)****Note by the secretariat***Summary*

This document contains a summary of the activities of the Working Party on Customs Questions affecting Transport (WP.30) and its subsidiary groups of experts, the Administrative Committee for the TIR Convention, 1975 (AC.2), the Administrative Committee for the Harmonization Convention, 1982 (AC.3) and the ECE/TIR secretariat in the area of border crossing.

The Committee will be informed about the main outcome of the 156th, 157th and 158th sessions of WP.30 (ECE/TRANS/WP.30/312, ECE/TRANS/WP.30/314 and ECE/TRANS/WP.30/316) and will be invited to take note of the activities of AC.2 in the year 2021 (ECE/TRANS/WP.30/AC.2/151, ECE/TRANS/WP.30/AC.2/153 and ECE/TRANS/WP.30/AC.2/155).

In particular, the Committee will be informed about the entry into force, on 25 May 2021, of amendment proposals introducing the eTIR procedure in new Annex 11 of the TIR Convention as well as the progress in the development of the eTIR international system, efforts to interconnect the eTIR international system with national customs systems and activities of the Group of Experts on Conceptual and Technical Aspects of computerization of the TIR Procedure (WP.30/GE.1). The Committee will also be informed about the latest developments in the International TIR Data Bank (ITDB), including the entry into force of amendments that make the electronic submission of data to ITDB mandatory.

The Committee will be informed about the efforts by WP.30 and AC.2 to implement a set of recommendations, further to an audit of the TIR trust fund by the United Nations Office of Internal Oversight Services (OIOS).



The Committee will be informed about the conclusion of a memorandum of understanding between ECE and the International Road Transport Union (IRU) to implement the TIR Convention and, more specifically, Annex 11 of the TIR Convention, establishing the so-called eTIR procedure, by ensuring the interconnection of IRU systems to the eTIR international system as well as the interconnection of as many as possible national customs systems to the eTIR international system following the eTIR technical specifications.

The Committee will be informed about the entry into force, on 27 May 2021, of the latest amendment proposal to the International Convention on the Harmonization of Frontier Controls for Goods, 1982, extending the interval between surveys among contracting parties on progress made to improve border crossing procedures in their countries from two to five years.

The Committee will be informed about the conclusion of a memorandum of understanding on the revitalization and digitalization of relevant United Nations inland transport conventions and, in particular the development of an eCPD (Carnet de Passage en Douane) system, between ECE and the International Touring Alliance / International Automobile Federation (AIT/FIA).

The Committee will be informed about follow-up actions taken by WP.30 in 2021 in alignment of its work with the ITC strategy.

## I. Background and mandate

1. This document has been prepared in accordance with the 2021 Programme of Work of the Inland Transport Committee (ITC) (ECE/TRANS/304, paragraph 31 and ECE/TRANS/2021/8, programme activity 4 (1): Customs Questions affecting Transport). It reports on the progress made in 2021 by the contracting parties, the Working Party on Customs Questions affecting Transport (WP.30), the Administrative Committee for the TIR Convention, 1975 (AC.2), the Administrative Committee for the Harmonization Convention, 1982 (AC.3) and the ECE/TIR secretariat in the area of border crossing facilitation, including among others:

- Activities and developments of the TIR Convention and the functioning of the TIR system.
- Progress made in the eTIR project, the entry into force of annex 11 to the convention to legally frame the operationalization of the computerized TIR procedure and the ensuing projects.
- Developments in the International Convention on the Harmonization of Frontier Controls of Goods, 1982 (Harmonization Convention).
- Developments in the Convention on the Facilitation of Border Crossing Procedures for Passengers, Luggage and Load-luggage Carried in International Traffic by Rail.
- Developments in the 1954 Customs Convention on the Temporary Importation of Private Road Vehicles and the 1956 Customs Convention on the Temporary Importation of Commercial Road Vehicles.
- Requests from ITC to align the activities of WP.30 with the ITC strategy until 2030.

## II. The TIR Convention

### A. Amendment Proposals to the Convention

2. On 16 June 2021, the TIR Convention, 1975 entered into force for Egypt. Thus, the convention has 77 contracting parties. In 2021, the TIR system became operational in Qatar and now has 65 active TIR countries.

3. In 2021, WP.30 and AC.2 continued their efforts towards considering and finalizing various amendment proposals to the TIR Convention. Over the year 2021, the following amendments entered into force:

- Amendments to various provisions of the body of the Convention and for a new annex 11, introducing eTIR in the legal text of the Convention. These proposals entered into force on 25 May 2021 for all contracting parties to the TIR Convention, except for those who had informed the Secretary-General of the United Nations, between 25 February 2021 and 25 May 2021 that they considered themselves, for now, not bound by annex 11 (viz: Switzerland);
- Amendment to annex 6 of the Convention, introducing new Explanatory Note 0.49 of the TIR Convention, which grants operators greater facilities, such as, but not limited to, the possibility to become authorized consignor. The amendment entered into force with respect to all contracting parties to the Convention on 1 June 2021.

4. On 4 November 2020, the Secretary-General of the United Nations, acting in his capacity as depositary, issued depositary notification C.N.513.2020.TREATIES-XI.A.16, informing of the submission of various proposals to amend the body and annexes of the TIR Convention, 1975, including those that make the electronic submission of data to the International TIR Data Bank (ITDB) obligatory. In accordance with the provisions of article 59 (3) of the Convention, the amendments would enter into force on 4 February 2022, unless an objection has been communicated to the Secretary-General not later than by 4 November 2021. On 15 November 2021, the Secretary-General of the United Nations, acting in his capacity as depositary, issued depositary Notification C.N.370.2021.TREATIES-XI.A.16, informing that, by 4 November 2021, none of the Parties had communicated an objection to the proposed amendments to the Convention. Consequently, in accordance with the provisions of article 59 (3) of the Convention, the amendments shall come into force with respect to all Parties to the Convention on 4 February 2022.

5. On 25 March 2021, the Secretary-General of the United Nations, acting in his capacity as depositary, issued depositary notification C.N.99.2021.TREATIES-XI.A.16, informing of the submission of a proposal to amend Article 18 and annexes 1 and 6 of the TIR Convention, 1975. In accordance with the provisions of article 59 (3) of the Convention, the amendments shall enter into force on 25 June 2022, unless an objection has been communicated to the Secretary-General not later than by 25 March 2022.

6. On 3 June 2021, the Secretary-General of the United Nations, acting in his capacity as depositary, issued depositary notification C.N.158.2021.TREATIES-XI.16, communicating that certain errors in the English, French and Russian texts of annex 11, as contained in annex I to the report of AC.2, at its seventy-second session, held in Geneva on 5 and 6 February 2020, had been brought to his attention. Objections to these corrections should be communicated to the Secretary-General no later than by 1 September 2021. And, on 8 September 2021, the Secretary-General of the United Nations, acting in his capacity as depositary, issued depositary notification C.N.268.2021.TREATIES-XI.A.16, communicating that, by 1 September 2021, no objection to certain errors in the English, French and Russian texts of annex 11, as circulated in depositary notification C.N.158.2021.TREATIES-XI.A.16 of 3 June 2021, had been brought to his attention. Consequently, the Secretary-General has effected the required corrections to the Convention. More detailed information on this issue as well as on depositary notifications is available on the TIR website.<sup>1</sup>

7. Against the background of recent amendment proposals to provisions or explanatory notes to the Convention, AC.2 at its seventy-sixth session (October 2021) endorsed the following new/updated comments: (a) comment to article 18 “Several customs offices of departure and/or destination”; (b) comment to annex 6, explanatory note 0.8.3; (c) comment to annex 6, explanatory note 0.49; and (d) comment to annex 9, part II “Model Authorization Form (MAF)” and decided that they would be applicable only as of the moment that the corresponding amendment proposals to the Convention enter into force. Within the context of its discussions, AC.2 took note that WP.30 had finalized its discussions on the text of

<sup>1</sup> [www.unece.org/tir/tir-depositary\\_notification.html](http://www.unece.org/tir/tir-depositary_notification.html).

another comment to Article 18: “Possibilities of increasing the total number of loading and unloading points to more than eight in exceptional cases” and that, consequently, it would be submitted to it for endorsement at its next session (see ECE/TRANS/WP.30/AC.2/155, paragraphs 18 and 19).

## **B. International TIR Data Bank and electronic tools of the TIR secretariat**

8. At its seventy-sixth session (October 2021), AC.2 was informed about developments related to ITDB and other information technology projects managed by the TIR secretariat. AC.2 welcomed the status report on the ITDB application by the secretariat. AC.2 was informed about the current status of data recordings in ITDB and, in particular, of the following figures: 1,134 web application users, 31,395 authorized holders recorded, 262 stamps and seals recorded, 2,540 customs offices recorded, as well as about the web service usage for the past year. In particular, AC.2 took note that, in the course of 2021, the TIR Executive Board (TIRExB) had launched two surveys to determine: the expectations on the ITDB Certificate of Approval module, and the status of digitalization of the Certificate of Approval by national authorities (see ECE/TRANS/WP.30/AC.2/155, paragraph 5). AC.2, underlining the relevance of the work of TIRExB for the functioning and further development of ITDB or, in this particular case a module on the Certificates of Approval, stressed the importance that all contracting parties respond, timely, to any survey they receive (ECE/TRANS/WP.30/AC.2/155, paragraph 9).

### **Mandatory submission of data to the International TIR Data Bank**

9. At its seventy-sixth session (October 2021), AC.2 recalled depositary notification C.N.513.2020.TREATIES-XI.A.16 by the Secretary-General of the United Nations, acting in his capacity as depositary, informing of the submission of various proposals to amend the body and annexes of the TIR Convention, 1975, including those that make the electronic submission of data to ITDB obligatory. In accordance with the provisions of Article 59 (3) of the Convention, the amendments shall enter into force on 4 February 2022, unless an objection has been communicated to the Secretary-General not later than by 4 November 2020. On 15 November 2021, depositary notification C.N.370.2021.TREATIES-XI.A.16, was issued, informing that, by 4 November 2021, none of the Parties to the above-mentioned Convention had communicated to the Secretary-General an objection to the proposed amendments to the Convention. Consequently, in accordance with the provisions of article 59 (3) of the Convention, the amendments shall come into force with respect to all Parties to the Convention on 4 February 2022.

## **C. National and regional TIR workshops and seminars**

10. Due to the ongoing COVID-19 crisis, no in-person workshops or seminars were organized in 2021. However, various virtual capacity-building workshops were conducted: (a) workshop co-organized with the Economic Cooperation Organization (ECO) Secretariat on the implementation of the eTIR international system in the ECO region (14 April 2021); (b) workshop organized by the secretariat of the Cooperation Council of Turkic Speaking States (Turkic Council) on the eTIR international system (15 June 2021); (c) Ministerial meeting on cross-border connectivity between the European Union and the Western Balkans, organized by the Government of Slovenia (5–6 July 2021/ Slovenian Presidency of the Council of the European Union 2021); (d) Federation Internationale de l'Automobile (FIA), third joint Sport and Mobility Conference in Monaco (7 July 2021) (ECE/TRANS/WP.30/AC.2/155, paragraph 10) and (e) FIA workshop on the 1954 (private vehicles) and 1956 (commercial vehicles) temporary importation conventions, Amman (24 and 25 November 2021).

### III. Developments in the Implementation of the TIR Convention

#### Office of Internal Oversight Services of the TIR Trust Fund

11. In 2019, AC.2 noted that the audit it had requested at its sixty-fourth session (October 2016) from the competent United Nations services of the accounts of TIRExB and the TIR secretariat (ECE/TRANS/WP.30/AC.2/131, paragraph 22) had been undertaken by OIOS and completed in March 2019, and that the audit report was presented in document ECE/TRANS/WP.30/AC.2/2019/25. The report contains nine recommendations dealing with the relationship between ECE and AC.2. Various among them had been dealt with and closed in 2019 and 2020, respectively. Thus, for 2021, the outstanding recommendations were:

(1) ECE should propose to the Administrative Committee the possible options of mechanisms to monitor and evaluate the documentation submitted by the authorized international organization in order to strengthen governance in the TIR Convention, particularly with regard to accountability.

12. At its seventy-fourth session (February 2021), AC.2 considered and adopted document ECE/TRANS/WP.30/AC.2/2020/8/Rev.1 and its Corr.1 as a basis for such activity. AC.2 decided to accept the list of documents to be submitted by IRU as contained in annex II of the said document, on the understanding that, as in the past, most documents could be archived at the TIR secretariat on behalf of TIRExB and would be made available to contracting parties following the procedure established in document ECE/TRANS/WP.30/AC.2/2015/12. With this decision, AC.2 considered OIOS recommendation No. 1 as approved and implemented.

(2) ECE should prepare updated terms of reference for TIR focal points for consideration and approval by the Administrative Committee in order to ensure consistency and enhance the effectiveness of focal points.

13. At its seventy-fourth session (February 2021), AC.2, based on the outcome of the survey on establishing terms of reference for TIR focal points from customs and national associations considered and adopted document ECE/TRANS/WP.30/AC.2/2020/9, with the addition of a footnote, elaborating that: "These terms of reference should be considered as non-binding guidelines. Any assignment of tasks to TIR focal points (customs or associations) remains the sole prerogative of their hierarchy and could also be performed by other staff members than the appointed TIR focal point." AC.2 requested the secretariat to post the Terms of Reference on the TIR website. With this decision, AC.2 considered OIOS recommendation No. 2 as approved and implemented (ECE/TRANS/WP.30/AC.2/151, paragraph 55).

(6) ECE should seek the advice of the Ethics Office on the apparent conflict of interest arising from its arrangements with the external partner on the eTIR project, including the receipt of funds from the external partner to whom ECE has become accountable under the contribution agreement, despite having the responsibility to assist the Executive Board in overseeing the external partner's operations and assessing its compliance with the TIR Convention.

14. At its seventy-fourth session (February 2021), AC.2 considered document ECE/TRANS/WP.30/AC.2/2021/7 by the Ethics Office. It took note of the actions by the secretariat to implement the advice of the Ethics Office, such as (a) assign AC.2 with the function to independently oversee funds allocated to ECE for the purpose of eTIR; and (b) review, revisit and update the existing Memorandum of Understanding (MoU) between ECE and IRU once annex 11 enters into effect. In addition, ECE should comprehensively review its contractual and administrative arrangements currently in effect as well as any individual transaction with IRU. In its advice, the Ethics Office highlighted the importance of establishing independent oversight over funds allocated to ECE for the purpose of eTIR through the relevant governing bodies such as the AC.2, if not yet done so. The secretariat proposed that AC.2 should perform this independent oversight. Any new extrabudgetary projects on eTIR or on any other activity of the TIR secretariat, except for projects agreed through the United Nations system, should be first discussed and endorsed by AC.2 before

being submitted them to the ECE Executive Committee (EXCOM) for information. In addition, the secretariat should, on an annual basis, report to AC.2 about the spending of those funds and the development of the projects. Furthermore, the Ethics Office recommended that the existing MoU between ECE and IRU be revisited, revised and updated, once annex 11 enters into effect. The secretariat informed AC.2 that it had already prepared the draft MoU and shared it with IRU, pending final discussions and agreement. This new MoU would be based on the principles advised by Ethics Office meaning:

- Secretariat will no longer report to IRU but only to AC.2;
- Preparation of annual workplans for approval by AC.2;
- Funding of the P3 post based on the same remaining funds but for longer period.

The new MoU would be submitted, as official document, to AC.2, if needed and required during an extraordinary session of AC.2 in June 2021, for consideration and endorsement before submitting it to EXCOM for information. Finally, the Ethics Office advised that ECE may wish to take this opportunity to undertake a comprehensive review of its contractual or other administrative arrangements currently in effect as well as individual transactions with IRU and may wish to carefully consider the possible other commercial activities of IRU which may reflect on the reputation of ECE. The ECE Executive Office has decided to invite OIOS to perform this comprehensive review (see ECE/TRANS/WP.30/AC.2/151, paragraphs 56–60).

15. At its seventy-fifth session (June 2021), AC.2 considered document ECE/TRANS/WP.30/AC.2/2021/8, containing the new MoU between ECE and IRU. In this context, it also considered various comments by the Ethics Office on the new MoU. In a nutshell, the Ethics Office considered the draft as meeting all recommendations of its prior advice, thus doing away with the risk of a conflict of interest. AC.2 accepted its role as oversight body, based on the provisions of annex 8 of the TIR Convention which deals, *inter alia*, with composition, functions and rules of procedure of AC.2. With the exception of the delegation of the Russian Federation, AC.2 supported the draft MoU and requested the secretariat to transmit it to EXCOM for information. With this decision, AC.2 considered OIOS recommendation No. 6 as approved and implemented (see ECE/TRANS/WP.30/AC.2/153, paragraphs 6–10).

16. ECE and IRU signed the MoU on 22 November 2021. The purpose of the MoU is to implement the TIR Convention and, more specifically, annex 11 of the TIR Convention, establishing the so-called eTIR procedure, by ensuring the interconnection of IRU systems to the eTIR international system as well as the interconnection of as many as possible national customs systems to the eTIR international system following the eTIR technical specifications.

(7a) ECE should bring to the attention of the Administrative Committee the need to: study the reasons for the decline in sale of Carnets over the years and develop an action plan to address the underlying causes.

17. At its 157th session (June 2021), WP.30 recalled that, at the specific request of AC.2 at its seventy-first session (October 2019), it had started, at its February 2020 session, considering recommendation No. 7a of the report of OIOS to study the reasons for the decline in the sale of TIR Carnets, contained in document ECE/TRANS/WP.30/2020/3. WP.30 considered and approved the final study, contained in document ECE/TRANS/WP.30/2020/3/Rev.1, subject to the deletion of paragraph 6 of the said document (see ECE/TRANS/WP.30/2020/3/Rev.1/Corr.1). With this deletion, WP.30, at the request of AC.2, established that OIOS recommendation No. 7a should be considered implemented and closed (see ECE/TRANS/WP.30/314, paragraphs 32 and 33).

## IV. eTIR

### A. eTIR international system: interconnection projects

18. At its 156th session (February 2021), WP.30 recalled that, further to the adoption of annex 11 by AC.2 at its February 2020 session, the Executive Secretary of ECE, Ms. Olga Algayerova, had invited contracting parties to start projects to interconnect their national customs systems with the eTIR international system. WP.30 was informed about these projects and their progress. By February 2021, the following countries had indicated an interest in such interconnection project, either in the form of a request for additional information or the willingness to start a connection project: Armenia, Azerbaijan, Georgia, India, Iran (Islamic Republic of), Israel, Lebanon, Montenegro, Morocco, Pakistan, Qatar, Republic of Moldova, Tunisia, Turkey and Ukraine. (see ECE/TRANS/WP.30/312, paragraph 19). At its 157th session (June 2021), WP.30 was informed that the following additional countries had either requested additional information or expressed the willingness to start a connection project: Belarus, Kyrgyzstan, Romania, Tajikistan, Turkmenistan, and Uzbekistan (see ECE/TRANS/WP.30/314, paragraph 22). At its 158th session (October 2021), WP.30 took note that the following ten countries had already started an interconnection project: Armenia, Azerbaijan, Georgia, Iran (Islamic Republic of), Kyrgyzstan, Pakistan, Tajikistan, Tunisia, Turkey and Uzbekistan (see ECE/TRANS/WP.30/316, paragraph 16).

### B. Activities of the Group of Experts on Conceptual and Technical Aspects of Computerization of the TIR Procedure

19. At its 158th session (October 2021), WP.30 welcomed a presentation on the outcome of the work of the Group of Experts on Conceptual and Technical Aspects of Computerization of the TIR Procedure (WP.30/GE.1). It took note that the reports of the four sessions were contained in documents ECE/TRANS/WP.30/GE.1/2 (first session), ECE/TRANS/WP.30/GE.1/2021/39 (extraordinary session), ECE/TRANS/WP.30/GE.1/4 (second session) and ECE/TRANS/WP.30/GE.1/6 (third session). WP.30, recalling the Terms of Reference of WP.30/GE.1 (ECE/TRANS/WP.30/2019/9 and Corr.1) as well as its workplan (ECE/TRANS/WP.30/GE.1/2021/2/Rev.1), welcomed the fact that WP.30/GE.1 had completed its mandate within the set timeframe and that WP.30/GE.1 had agreed on a complete version 4.3 of the eTIR specifications, which is consolidated in Informal documents WP.30/GE.1 (2021) No. 11 (introduction), No. 13 (concepts), No. 14 (functional specifications) and No. 12 (technical specifications). WP.30 mandated the secretariat to transfer version 4.3 of the eTIR specifications (including a remaining open issue about the itinerary) to AC.2 and to the Technical Implementation Body (TIB). It recalled that, in line with annex 11, article 5, AC.2 and, more specifically, the countries bound by annex 11, have to adopt the eTIR concepts and the eTIR functional specifications and TIB has to adopt the eTIR technical specifications (see ECE/TRANS/WP.30/316, paragraphs 17–19).

20. Parallel to the work of WP.30/GE.1, the secretariat continued the development of the eTIR international system according to draft version 4.3 of the eTIR specifications and to the amendments approved by WP.30/GE.1. To support the interconnection projects, a total of nineteen technical guides have been prepared and published on the eTIR website.<sup>2</sup> In addition to preparing these guides, the secretariat continues to assist contracting parties with their interconnection project.

### C. Establishment of the Technical Implementation Body

21. At its seventy-sixth session (October 2021), AC.2 took note that, further to the entry into force of annex 11, the secretariat had taken the necessary measures to ensure the organization of TIB meetings in 2022. The first session of the TIB would take place from 18

<sup>2</sup> See <https://etir.org/documentation>.

to 21 January 2022, i.e. before the seventy-seventh session of AC.2. It further noted that annex 11, article 4, paragraph 4 foresees that TIB shall, at its first session, adopt its rules of procedure and submit them to AC.2 for endorsement by the contracting parties bound by annex 11. Therefore, to ensure that TIB could start working as of its first sessions, AC.2 decided that TIB, pending the adoption of its own rules of procedure and their endorsement by it, shall use, *mutatis mutandis*, the relevant provisions of annex 8 of the TIR Convention. In this context, the secretariat called for particular attention to the fact that TIB will require a quorum of not less than one third of the States bound by annex 11 for the purpose of taking decisions (ECE/TRANS/WP.30/AC.2/155, paragraphs 25 and 26).

#### **D. eTIR website**

22. At the 156th session of WP.30 (February 2021), the secretariat presented a new web site for eTIR. The secretariat explained that a dedicated, and more modern and business-oriented eTIR website was necessary, one that includes all information of interest to the eTIR main stakeholders. This website works as an e-learning platform and it includes, among others, case studies, news, interviews, access to different services such as ITDB, etc. The new website does not replace the regular ECE website, where all documentation of intergovernmental bodies will still be uploaded. The address of the new web site is: [www.etir.org](http://www.etir.org). The secretariat mentioned that this website would not be a reality if the Organization for Security and Co-operation for Europe (OSCE) had not financially supported this endeavour. The relationship between OSCE and the secretariat is a long-standing one, focusing mainly on the preparation of guidelines as well as the development of the Euro-Asian transport linkages (see ECE/TRANS/WP.30/312, paragraph 23).

### **V. Harmonization Convention**

#### **A. Status of the Convention**

23. The Committee may wish to note that in 2021 no new accessions to the International Convention on the Harmonization of Frontier Controls of Goods, 1982 ("Harmonization Convention") took place. Thus, since the entry into force of the convention for Turkmenistan, on 27 February 2017, the number of contracting parties to the Harmonization Convention stands at 58.

#### **B. Amendment proposals to the Convention**

24. On 5 March 2021, the Secretary-General of the United Nations in his capacity as depositary, issued depositary notification C.N.83.2021.TREATIES-XI.A.17, informing that, by 27 February 2021, none of the parties to the Harmonization Convention, 1982 had communicated an objection to a proposal to amend annex 8, article 7 of the said Convention, extending the interval between surveys among contracting parties on progress made to improve border crossing procedures in their countries from two to five years. Therefore, in accordance with the provisions of article 22, paragraph 3 of the Convention, the amendment came into force with respect to all contracting parties to the Convention on 27 May 2021.

#### **C. Issues in the application of the Convention**

25. At its 157th session (June 2021), WP.30 took note that, at its eighty-third session (February 2021), ITC, *inter alia*, adopted a decision in which it "entrusted the Working Party on Rail Transport (SC.2) and WP.30 to include in the agenda of the meetings the issue of monitoring the implementation of Annex 9 "Facilitation of border crossing procedures for international rail freight traffic" to the International Convention on the Harmonization of Frontier Controls of Goods" (ITC Informal document No. 8/Rev.5 (2021), decision No. 57). In an effort to respond to this request, the Secretaries of SC.2 and WP.30 prepared a survey for circulation among stakeholders (ECE/TRANS/WP.30/314, paragraph 36).



26. At its 158th session (October 2021), WP.30 considered document ECE/TRANS/WP.30/2021/4 by the Secretaries of SC.2 and WP.30, containing a draft survey on annex 9 of the Harmonization Convention. WP.30 also took note that the Organization for Cooperation between Railways (OSJD) had submitted some proposals for additional questions to the draft survey. WP.30 accepted the survey, including the additional questions by OSJD and was of the opinion that it should be distributed among participants in SC.2 and interested railway partners, such as, but not limited to, the International Union of Railways (UIC) and the Community of European Railway and Infrastructure Companies (CER). WP.30 requested the secretariat to revise the draft survey and submit it to SC.2 for further consideration (see ECE/TRANS/WP.30/316, paragraphs 26 and 27).

27. At that same session, WP.30 further recalled another decision of ITC, taken at that same eighty-third session, in which it “encouraged interested countries to accede to the United Nations Conventions in the field of border crossing facilitation, to foster digital information exchange, and promptly implement the provisions of Annex 11 to the TIR Convention, launching the eTIR system, and urged all contracting parties to comply with the provisions of the Harmonization Convention, 1982 for the sake of addressing the COVID-19 pandemic” (ITC Informal document No. 8/Rev. 5 (2021), decision No. 58). With regard to the issues at stake, WP.30 was of the opinion that the issues were sufficiently covered by the ongoing activities in the field of eTIR, whereas article 12 of the Harmonization Convention deals with emergency measures (see ECE/TRANS/WP.30/316, paragraphs 29 and 30).

## **VI. Convention on the Facilitation of Border Crossing Procedures for Passengers, Luggage and Load-luggage Carried in International Traffic by Rail, of 22 February 2019**

28. The Committee may wish to note that, at the 156th session of WP.30 (February 2021), the delegation of the Russian Federation informed the meeting that, at the national level, all required procedures in preparation of signing the Convention had been completed and that a Government decree to that extent had been issued. Steps were now being undertaken at the level of the Ministry of Transport to facilitate signing the Convention in New York (ECE/TRANS/WP.30/312, paragraph 32). No further information was made available in the course of 2021. At present, only Chad has signed the convention, on 26 September 2019.

## **VII. Customs Conventions on the Temporary Importation of Private Road Vehicles (1954) and Commercial Road Vehicles (1956)**

### **A. Status of the Convention**

29. The Committee may wish to note that, in 2021, no changes occurred in the status of the Customs Conventions on the Temporary Importation of Private (1954) and Commercial (1956) Road Vehicles and that the conventions, currently have, 80 and 26 contracting parties, respectively.

### **B. Issues in the application of the Convention**

30. At its 157th session (June 2021), WP.30 took note of progress in the efforts of ECE and the Alliance Internationale de Tourisme / Federation Internationale de l'Automobile (AIT/FIA) to conclude a MoU on the revitalization and digitalization of relevant United Nations inland transport conventions. WP.30 considered document ECE/TRANS/WP.30/2021/5, containing the MoU. On the understanding that no financial implications were involved on either side, WP.30 endorsed the MoU and invited parties to engage in its implementation. WP.30 mandated the secretariat to submit the MoU to the Executive Commission (EXCOM) of ECE for information. WP.30 requested parties to regularly report on progress made (see ECE/TRANS/WP.30/314, paragraphs 41 and 42).

31. The Executive Secretary of ECE informed EXCOM at its 177th session (8 July 2021) about the upcoming signature of the MoU (see EXCOM/CONCLU/117). ECE and FIA signed the MoU on 20 October 2021.<sup>3</sup>

## **VIII. Requests from the Inland Transport Committee**

### **Alignment of the work of the Working Party with the Inland Transport Committee strategy**

32. In 2021, WP.30 continued its considerations to amend legal instruments with geographical or procedural barriers, on the basis of documents ECE/TRANS/WP.30/2020/1 and ECE/TRANS/WP.30/2020/8, summarizing the main scope of the seventeen legal instruments under the auspices of WP.30, reviewing the final clauses and proposing, where required or deemed appropriate, amendments (Please refer to ECE/TRANS/WP.30/308, paragraphs 6–9, ECE/TRANS/WP.30/310, paragraphs 3 and 4, ECE/TRANS/WP.30/312, paragraphs 5–8 ECE/TRANS/WP.30/314, paragraphs 4–10 and ECE/TRANS/WP.30/316, paragraphs 3–7).

33. At its 156th session (October 2021), WP.30 confirmed that this had been a useful exercise, which had highlighted issues in the application of various legal instruments, leading to a review of their relevance at national level, including, at times, up to denunciations. Although it had been established that some legal instruments had lost their relevance or seemed to have been overtaken by more recent legislation, developed under the aegis of the United Nations or other international organizations, such as, in particular, the World Customs Organization (WCO), WP.30 was of the view that these legal instruments should continue to exist, as they may very well have served as the basis for more recently developed legal instruments and, therefore, continued to be of relevance. At the same time, and exactly for the same reason, WP.30 felt that there was no reason, or it could even be risky, to amend or adjust them to current realities as, by doing so, they might undermine the construction of more recent legislation that has been based on them. WP.30 was of the view that this exercise should now be considered finalized and requested the secretariat to report this to ITC at its February 2022 session (ECE/TRANS/WP.30/316, paragraphs 8 and 9).

34. Within the context of this exercise, WP.30, at that same session, took note that, on 14 June 2021, the Secretary-General of the United Nations, acting in his capacity as depositary, has issued the following depositary notifications: (a) C.N.170.2021.TREATIES-XI.A.15, informing that, on 14 June 2021, Turkmenistan has deposited its instruments of accession to the Customs Convention on Containers, 1972. In accordance with its article 19, paragraph 2, the Convention will enter into force for Turkmenistan on 14 December 2021. With the accession of Turkmenistan, the Container Convention will have 41 contracting parties; (b) C.N.171.2021.TREATIES-XI.A.18, informing that, on 14 June 2021, Turkmenistan has deposited its instruments of accession to the Convention on Customs Treatment of Pool Containers Used in International Transport, 1994. In accordance with its article 16, paragraph 2, the Convention will enter into force for Turkmenistan on 14 December 2021. With the accession of Turkmenistan, the Pool Container Convention will have fifteen contracting parties; (c) C.N.240.2021.TREATIES-XI.A.12 of 26 July 2021, informing that, on 22 July 2021, Denmark has denounced the Customs Convention concerning Spare Parts Used for Repairing EUROP Wagons, of 15 January 1958. The denunciation shall take effect for Denmark on 22 January 2022. With this action, this convention will have seven remaining contracting parties: Austria, Belgium, France, Germany, Italy, Netherlands and Switzerland. In accordance with its article 8, the Convention will cease to have effect if, for any period of twelve consecutive months after its entry into force, the number of contracting parties is less than five (ECE/TRANS/WP.30/316, paragraph 10).

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<sup>3</sup> For the press-release on the signing event, see: [unece.org/media/press/361329](https://unece.org/media/press/361329).

## **IX. Considerations by the Committee**

35. The Committee may wish to take note of and support the above activities of contracting parties, WP.30, AC.2, AC.3 and the TIR secretariats in the year 2021.

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