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Working Party on Customs Questions affecting Transport

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Item 3 (b) of the provisional agenda

Activities of United Nations Economic Commission for Europe (ECE)

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

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

Note by the secretariat

I. Background and mandate

1. At its 153rd session (October 2019), the Working Party was informed that, on 26 June 2019, the Chair of the Inland Transport Committee (ITC) and the Director of the Sustainable Transport Division, in a joint letter, had invited the Chairs of Working Parties and Administrative Committees under the purview of ITC, to support the implementation of the ITC strategy by proposing a concrete plan aligning their work with the ITC strategy. The deadline for suggestions was set at 15 November 2019, after which date the ITC Bureau would prepare a concrete plan for presentation and, possibly, adoption at the eighty-second session of ITC (February 2020). Against this background the Working Party considered document ECE/TRANS/WP.30/2019/8 and its Corr.1 (English only), containing a list of tasks that the Working Party should undertake in the coming years in addition to its regular work. The Working Party expressed its readiness, in principle, to support the implementation of the ITC strategy and, thus, tentatively agreed with the proposed timetable for the tasks to be undertaken, subject to further assessment at any time in the future. As a first step, the Working Party requested the secretariat to prepare, for its next session, a document summarizing the main scope of the seventeen legal instruments under the auspices of the Working Party, reviewing the final clauses and proposing, where required, amendments. At the same time, the Working Party expressed caution that the imposed tasks (a) should not intervene with its regular tasks; (b) should not lead to mechanical changes for the simple sake of alignment with the ITC strategy and that (c) it would be the sole prerogative of the Working Party to establish the relevance of proposing or adopting amendments to the legal instruments or to undertake any further related action. As a word of caution, the delegation of the European Union advised ECE not to let its efforts to be considered as a global actor for legal instruments in the field of transport become detrimental to its task as guardian of the interest of the ECE region. The delegation of Ukraine recalled the extensive set of questions and answers developed by the TIR Executive Board as training material for the various

* The present document was submitted late due to resource constraint.

stakeholders of the TIR system, inviting the Working Party to review and, where required, amend or update them, in order to reflect the latest state of play of the TIR Convention.

2. In line with the request of the Working Party, the secretariat prepared this document, summarizing the main aspects of the seventeen legal instruments under its auspices. Annex I contains the overview of the seventeen legal instruments, whereas Annex II enumerates the main aspects of each individual legal instrument.

II. Considerations by the Working Party

3. The Working Party is invited to take note of the information in the document and provide guidance to the secretariat how it wishes to proceed with the task of amending the legal instruments with geographical and procedural barriers by 2025, as assigned by ITC. To facilitate the work, the secretariat has tentatively divided the set of legal instruments in four categories:

- (a) Legal instruments with global coverage: 5, 12, 13, 15, 16, 17.
- (b) Legal instruments with procedural barriers that could benefit from amending: 14.
- (c) Legal instruments with (or without) procedural barriers that do not seem to benefit from amending: 1, 2, 4, 8, 9.
- (d) Legal instruments which warrant assessment by the Working Party prior to their possible amending: 3, 6, 7, 10, 11, 14.

Annex I

1. Convention concerning Customs Facilities for Touring, signed in New York on 4 June 1954
2. Additional Protocol to the Convention concerning Customs Facilities for Touring, relating to the importation of tourist publicity documents and material, signed in New York on 4 June 1954
3. Customs Convention on the Temporary Importation of Private Road Vehicles, signed in New York on 4 June 1954
4. Customs Convention on the International Transport of Goods under Cover of TIR Carnets (TIR Convention), of 15 January 1959
5. Customs Convention on the International Transport of Goods under Cover of TIR Carnets (TIR Convention), of 14 November 1975
6. Customs Convention on the Temporary Importation for Private Use of Aircraft and Pleasure Boats, of 18 May 1956
7. Customs Convention on the Temporary Importation of Commercial Road Vehicles, of 18 May 1956
8. International Convention to Facilitate the Crossing of Frontiers for Passengers and Baggage carried by Rail, of 10 January 1952
9. International Convention to Facilitate the Crossing of Frontiers for Goods Carried by Rail, of 10 January 1952
10. Customs Convention concerning Spare Parts Used for Repairing Europ Wagons, of 15 January 1958
11. Customs Convention on Containers, of 18 May 1956
12. Customs Convention on Containers, of 2 December 1972
13. European Convention on Customs Treatment of Pallets Used in International Transport, of 9 December 1960
14. International Convention on the Harmonization of Frontier Controls of Goods, 21 October 1982
15. Convention on Customs Treatment of Pool Containers Used in International Transport, 21 January 1994
16. Convention on International Customs Transit Procedures for the Carriage of Goods by Rail under Cover of SMGS Consignment Notes Geneva, 9 February 2006
17. Convention on the Facilitation of Border Crossing Procedures for Passengers, Luggage and Load-Luggage carried in International Traffic by Rail, 19 February 2019.

Annex II

1. Convention concerning Customs Facilities for Touring, done at New York on 4 June 1954

A. Objective

The objective of the Convention is to facilitate the development of international touring. The Convention provides both tourists and customs authorities with precise harmonized conditions for the temporary importation by tourists of personal effects and other goods, together with harmonized maximum admissible quantities of such goods, that can be imported free of duties and taxes.

B. Key provisions

The above objective is pursued by providing for the temporary admission, free of import duties and import taxes, of the personal effects imported by a tourist, provided they are for the personal use of the tourist, that they are carried on the person or in the luggage accompanying the tourist, that there is no reason to fear abuse, and that these personal effects will be re-exported by the tourist on leaving the country. To this end the Convention defines the concept of “personal effects” and indicates the limits for other articles, including cigarettes and alcohol or travel souvenirs, which can be admitted free of duties and taxes.

C. Final clauses

www.unece.org/fileadmin/DAM/trans/conventn/Touring-1954e.pdf

See Article 14 and Article 23.

D. Geographical scope and contracting parties



79 Contracting Parties

Albania, Algeria, Argentina, Australia, Austria, Barbados, Belgium, Bosnia and Herzegovina, Bulgaria, Cambodia, Canada, Central African Republic, Chile, Costa Rica, Croatia, Cuba, Cyprus,

Denmark, Ecuador, Egypt, El Salvador, Fiji, Finland, France, Germany, Ghana, Greece, Haiti, Hungary, India, Iran (Islamic Republic of), Ireland, Israel, Italy, Jamaica, Japan, Jordan, Lebanon, Liberia, Lithuania, Luxembourg, Malaysia, Mali, Malta, Mauritius, Mexico, Montenegro, Morocco, Nepal, Netherlands, New Zealand, Nigeria, Norway, Peru, Philippines, Poland, Portugal, Romania, Russian Federation, Rwanda, Senegal, Serbia, Sierra Leone, Slovenia, Solomon Islands, Spain, Sri Lanka, Sweden, Switzerland, Syrian Arab Republic, Tonga, Trinidad and Tobago, Tunisia, Turkey, Uganda, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Uruguay.

E. Preliminary considerations by the secretariat

The Convention is open to all Member States of the United Nations.

At its 114th session (September 2006), the Working Party decided, for the time being, not to consider and amend the Convention any further, unless a specific request is presented to the Working Party by a Contracting Party (ECE/TRANS/WP.30/228, paragraph 19).

2. Additional Protocol to the Convention concerning Customs Facilities for Touring, done at New York on 4 June 1954

A. Objective

The objective of the Protocol is to facilitate the admission (free of import duties and taxes) of (a) documents encouraging the public to visit foreign countries; (b) lists and year-books of foreign hotels and (c) technical material by national official tourist agencies, including material intended for display.

B. Key provisions

Articles 2 and 3 enumerate, in great detail, the material that can be freely admitted, whereas Article 4 stipulates the conditions for the free admission.

C. Final clauses

www.unece.org/fileadmin/DAM/trans/conventn/touring-protocol-e.pdf

See Articles 8 and 17.

D. Geographical scope and contracting parties



74 Contracting Parties

Albania, Algeria, Argentina, Australia, Austria, Barbados, Belgium, Bulgaria, Central African Republic, Chile, Costa Rica, Cuba, Cyprus, Czechia, Denmark, Ecuador, Egypt, El Salvador, Fiji, Finland, France, Germany, Ghana, Greece, Haiti, Hungary, India, Iran (Islamic Republic of), Ireland, Israel, Italy, Jamaica, Japan, Jordan, Lebanon, Liberia, Lithuania, Luxembourg, Malaysia, Mali, Malta, Mauritius, Mexico, Montenegro, Morocco, Nepal, Netherlands, New Zealand, Nigeria, Norway, Peru, Philippines, Poland, Portugal, Romania, Russian Federation, Rwanda, Senegal, Serbia, Sierra Leone, Singapore, Slovakia, Solomon Islands, Spain, Sweden, Switzerland, Syrian Arab Republic, Tonga, Trinidad and Tobago, Tunisia, Turkey, Uganda, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania.

E. Preliminary considerations by the secretariat

The Protocol is open to all Member States of the United Nations. In view of the fact that the Working Party decided in 2006 not to consider amending the Convention and due to the outdated nature of the topics addressed by the Protocol, there does not seem any reason to pursue adjusting the Protocol.

3. Customs Convention on the Temporary Importation of Private Road Vehicles, done at Geneva on 4 June 1954

A. Objective

The objective of this Convention is to facilitate international road traffic through facilitating the temporary admission into a country, Contracting Party to the Convention, of private road vehicles registered in another country, also Contracting Party to the Convention, without payment of import duties and taxes for the vehicles.

B. Key provisions

The Convention defines the concept of private road vehicle and establishes the principle of temporary importation of such vehicles under the cover of the international "Carnet de

passage en douane" (CPD). These Carnets guarantee payment of import duties and taxes of the vehicles to national competent authorities if the vehicle that has been temporarily admitted is not re-exported. CPDs are issued by authorized organizations or associations, which guarantee the payment. The Convention describes in detail the functioning of the temporary importation procedures and the documents to be used as well as claims procedures to be applied when exportation of vehicles has not been done within the time limits prescribed. The Convention is open to all members of the United Nations.

C. Final provisions

www.unece.org/fileadmin/DAM/trans/conventn/imppriv_En.pdf

See Articles 33 and 42.

D. Geographical coverage and contracting parties



80 Contracting Parties

Albania, Algeria, Australia, Austria, Barbados, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Central African Republic, Chile, Costa Rica, Croatia, Cuba, Cyprus, Denmark, Ecuador, Egypt, El Salvador, European Union, Fiji, Finland, France, Germany, Ghana, Haiti, Hungary, India, Iran (Islamic Republic of), Ireland, Israel, Italy, Jamaica, Japan, Jordan, Liberia, Lithuania, Luxembourg, Malaysia, Mali, Malta, Mauritius, Mexico, Montenegro, Morocco, Nepal, Netherlands, New Zealand, Nigeria, North Macedonia, Norway, Peru, Philippines, Poland, Portugal, Romania, Russian Federation, Rwanda, Saudi Arabia, Senegal, Serbia, Sierra Leone, Singapore, Slovenia, Solomon Islands, Spain, Sri Lanka, Sudan, Sweden, Switzerland, Syrian Arab Republic, Tonga, Trinidad and Tobago, Tunisia, Turkey, Uganda, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America.

E. Preliminary considerations by the secretariat

The Convention is open to all members of the United Nations. The Working Party may wish to liaise with the secretariat of the Alliance Internationale de Tourisme / Fédération Internationale de l'Automobile (AIT/FIA) to see if, from its side, there are new avenues that it wishes the Convention to address, such as, but not limited to, the digitalization of the CPD.

4. Customs Convention on the International Transport of Goods under cover of TIR Carnets (TIR Convention), done at Geneva on 15 January 1959

A. Objective

Objective of this Convention is to facilitate the international transport of goods by road vehicles.

B. Key provisions

Key provision is Article 6, which is a combination of Articles 6–11 of the TIR Convention, 1975. Contrary to the current Convention, the 1959 Convention does not stipulate any limitation in the sum which can be claimed from the guaranteeing association.

C. Final clauses

www.unece.org/fileadmin/DAM/trans/conventn/TIR_Convention_1959_FR_EN.pdf

See Articles 39 and 47.

D. Geographical scope and contracting parties



37 Contracting Parties

Afghanistan, Albania, Austria, Belgium, Bulgaria, Canada, Cyprus, Czechia, Denmark, Finland, France, Germany, Greece, Hungary, Iran (Islamic Republic of), Ireland, Israel, Italy, Japan, Jordan, Kuwait, Luxembourg, Malta, Morocco, Netherlands, Norway, Poland, Portugal, Romania, Russian Federation, Slovakia, Spain, Sweden, Switzerland, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America.

E. Preliminary considerations by the secretariat

Further to its Article 56, which stipulates that, upon its entry into force, the TIR Convention, 1975 shall terminate and replace, in relations between the Contracting Parties of that Convention, the 1959 TIR Convention, there does not seem any need to further address the limited geographical coverage of the 1959 TIR Convention. Presently, the TIR Convention of 1959 only applies to relations with Japan, which, so far, has not acceded to the TIR Convention of 1975.

5. Customs Convention on the International Transport of Goods under cover of TIR Carnets (TIR Convention), done at Geneva on 14 November 1975

A. Objective

The objective of the TIR Convention of 1975 is to facilitate the international carriage of goods by road vehicles or containers across one or more borders through the establishment of a simplified border crossing procedure and an international guarantee chain.

B. Key provisions

The TIR Convention of 1975, which updates the TIR Convention of 1959, sets up the procedure that permits the international carriage of goods by road vehicles or containers from a customs office of departure in one country to a customs office of destination in another country, through as many countries as necessary, without intermediate check of the goods carried and without the deposit of a financial guarantee at each border. The procedure includes the use of secure vehicles or containers that have to be approved by authorities according to standards prescribed in the Convention in order for them to be used for TIR operations. The procedure also includes an international guarantee chain, established under the Convention, to cover duties and taxes at risk throughout the journey and whereby in each contracting party using the Convention a duly authorized association provides a guarantee towards national competent authorities. In addition, the procedure also includes the use for each vehicle of an international customs document, the TIR Carnet, which certifies the contents of the cargo as checked at the customs office of departure and which is also a guarantee document. The customs authorities at intermediate borders recognize the TIR Carnets, trust the information contained therein and do not undertake checks unless deemed appropriate for any particular reason. Finally, the procedure entails controlled access to the TIR system and foresees exclusion from the procedure of those operators that misuse it for illegal purposes. An Administrative Committee, composed of all Parties to the TIR Convention, administers the Convention, which is open to all members of the United Nations.

C. Final clauses

www.unece.org/fileadmin/DAM/tir/handbook/TIRConventionENFRRU.pdf

See Articles 52 and 59.

D. Geographical scope and contracting parties



76 Contracting Parties

Afghanistan, Albania, Algeria, Argentina, Armenia, Austria, Azerbaijan, Belarus, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Chile, China, Croatia, Cyprus, Czechia, Denmark, Estonia, European Union, Finland, France, Georgia, Germany, Greece, Hungary, India, Indonesia, Iran (Islamic Republic of), Ireland, Israel, Italy, Jordan, Kazakhstan, Kuwait, Kyrgyzstan, Latvia, Lebanon, Liberia, Lithuania, Luxembourg, Malta, Mongolia, Montenegro, Morocco, Netherlands, North Macedonia, Norway, Oman, Pakistan, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saudi Arabia, Serbia, Slovakia, Slovenia, Spain, State of Palestine, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Tunisia, Turkey, Turkmenistan, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Uzbekistan.

E. Preliminary considerations by the secretariat

The TIR Convention of 1975 is open to all members of the United Nations. Considering that the TIR Convention is regularly reviewed (35 times since its entry into force) and is currently in the process of accommodating the computerized TIR procedure, there does not seem any reason to review this Convention within the scope of the current exercise.

6. Customs Convention on the Temporary Importation for Private Use of Aircraft and Pleasure Boats, done at Geneva on 18 May 1956

A. Objective

Objective of this Convention is to facilitate the temporary duty-free importation of aircraft and pleasure boats other than kayaks and canoes in use and under 5.5. metres in length.

B. Key provisions

Contracting Parties grant temporary admission without payment of import duties and import taxes and free of import prohibitions and restrictions, subject to re-exportation, to aircraft and boats owned by persons normally resident outside its territory which are imported and used for their private use on the occasion of a temporary visit, either by the owners of the aircraft or boats or by other persons normally resident outside its territory (Article 2).

C. Final provisions

www.unece.org/fileadmin/DAM/trans/conventn/aire.pdf

See Articles 33 and 41.

D. Geographical scope and contracting parties



26 Contracting Parties

Algeria, Austria, Belgium, Croatia, Denmark, Finland, France, Germany, Hungary, Italy, Jamaica, Luxembourg, Malta, Mauritius, Montenegro, Netherlands, Portugal, Serbia, Sierra Leone, Slovenia, Solomon Islands, Spain, Sweden, Switzerland, Trinidad and Tobago, United Kingdom of Great Britain and Northern Ireland.

E. Preliminary considerations by the secretariat

Apart from various successions, Finland was the last country to accede to this Convention, on 30 September 1965. Through its Article 33, the Convention is *de facto* open to all members of the United Nations. The Working Party is invited to assess the impact of this Convention in view of more recent international legislation.

7. Customs Convention on the Temporary Importation of Commercial Road Vehicles, signed at Geneva on 18 May 1956

A. Objective

The objective of this Convention is to facilitate international road traffic through facilitating the temporary admission into a country, Contracting Party to the Convention, of commercial road vehicles registered in another country, also Contracting Party to the Convention, without payment of import duties and taxes for the vehicle.

B. Key provisions

The Convention defines the concept of commercial road vehicle and sets up the principle of temporary importation of such vehicles under cover of the international document "Carnet de passage en douane" (CPD). These Carnets guarantee payment of import duties and taxes of the vehicles to national competent authorities if the vehicle that has been temporarily admitted is not re-exported. The CPDs are issued by authorized organizations or associations, which guarantee the payment. The Convention describes in detail the functioning of the temporary importation procedures and the documents to be used as well as claims procedures to be applied when the exportation of vehicles has not been done within the time limits prescribed.

C. Final clauses

www.unece.org/fileadmin/DAM/trans/conventn/impcom-e.pdf

See Articles 33 and 41.

D. Geographical scope and contracting parties



42 Contracting Parties

Afghanistan, Algeria, Austria, Azerbaijan, Belgium, Bosnia and Herzegovina, Bulgaria, Cambodia, Croatia, Cuba, Cyprus, Denmark, European Union, Finland, France, Germany,

Greece, Hungary, Ireland, Italy, Kyrgyzstan, Lithuania, Luxembourg, Montenegro, Netherlands, North Macedonia, Norway, Poland, Portugal, Republic of Moldova, Romania, Saudi Arabia, Serbia, Sierra Leone, Singapore, Slovenia, Spain, Sweden, Switzerland, Turkey, United Kingdom of Great Britain and Northern Ireland, Uzbekistan.

E. Preliminary considerations by the secretariat

Through its Article 33, this Convention is *de facto* open to all members of the United Nations. The Working Party may wish to liaise with the secretariat of the Alliance Internationale de Tourisme / Fédération Internationale de l'Automobile (AIT/FIA) to see if, from its side, there are new avenues that it wishes the Convention to address, such as, but not limited to, the digitalization of the CPD.

8. International Convention to Facilitate the Crossing of Frontiers for Passengers and Baggage carried by Rail, done at Geneva on 10 January 1952

A. Objective

The objective of the Convention is to facilitate the crossing of borders for passengers and baggage carried by rail.

B. Key provisions

The Convention lays down procedures for control of the entry and exit of passengers and their baggage by competent authorities of two adjoining countries linked by a railway line carrying a considerable volume of passengers crossing the frontier. The Convention favours the carrying out of police and customs controls while trains are in motion and sets up the appropriate procedures to do so. The Convention also establishes the procedures, wherever the controls cannot be satisfactorily performed while the trains are in motion, for the organization of joint controls being performed in a joint station close to the frontier and designated by agreement between the adjacent countries. The Convention also provides for transit procedures.

C. Final clauses

www.unece.org/fileadmin/DAM/trans/conventn/passraile.pdf

See Article 12. The convention has no amendment clause.

D. Geographical scope and contracting parties



10 Contracting Parties:

Albania, Austria, Belgium, France, Italy, Luxembourg, Netherlands, Norway, Portugal, Switzerland.

E. Preliminary considerations by the secretariat

Between 2008 and 2013, the Working Party extensively discussed the functioning of the 1952 Rail Passenger Convention, including, but not limited to, the possibility of introducing amendment provisions to the convention by means of a separate Protocol, without tangible results. As of 2014, work on a new convention started, leading to the adoption by the Inland Transport Committee (ITC) at its February 2019 session of the Convention on the Facilitation of Border Crossing Procedures for Passengers, Luggage and Load-Luggage carried in International Traffic by Rail, of 22 February 2019 (see point 17.). Due to these developments, there does not seem any reason to review this Convention within the scope of the current exercise.

9. International Convention to Facilitate the Crossing of Frontiers for Goods Carried by Rail, signed at Geneva on 10 January 1952

A. Objective

The objective of the Convention is to facilitate the crossing of frontiers by goods carried by rail.

B. Key provisions

The Convention establishes procedures and conditions for harmonizing and ensuring a high level of efficiency in the controls of goods carried by rail at borders between two adjoining countries on a railway line carrying a considerable volume of goods. The Convention foresees that the controls that are required under the legislation of the two countries in respect of the entry and exit of all or part of the goods traffic can be performed at one or several joint

stations close to the border and designated by agreement between the adjacent countries. The Convention also provides prescriptions concerning the organization of joint control at joint stations and control facilities. It also provides for transit procedures.

C. Final clauses

www.unece.org/fileadmin/DAM/trans/conventn/goodsraile.pdf

See Article 12. The convention has no amendment clause.

D. Geographical scope and contracting parties



12 Contracting Parties:

Albania, Armenia, Austria, Belgium, France, Italy, Luxembourg, Netherlands, Norway, Portugal, Spain, Switzerland.

E. Preliminary considerations by the secretariat

Looking at the history of discussions on the 1952 Rail Passenger Convention, there does not seem to be much use in attempting to open up this convention to global accession or the bring its provisions in line with modern technical and logistical requirements.

10. Customs Convention concerning Spare Parts Used for Repairing Europ Wagons, done at Geneva on 15 January 1958

A. Objective

Objective of this convention is to facilitate the use of EUROP wagons in traffic between railway administrations pooling these wagons.

B. Key provisions

EUROP wagons repaired by a using administration (viz. an administration which is not the owner of the wagons concerned) with spare parts from its own stock are not subjected to any formality, or duty or tax whatsoever when crossing frontiers, provided that the cost of fitting the spare parts and of the spare parts themselves is borne by that same using administration.

C. Final provisions

www.unece.org/fileadmin/DAM/trans/conventn/sparee.pdf

See Articles 5 and 11.

D. Geographical coverage and contracting parties



9 Contracting Parties:

Austria, Belgium, Denmark, France, Germany, Italy, Luxembourg, Netherlands, Switzerland.

E. Preliminary considerations by the secretariat

This Convention has limited membership. Basically, only ECE member States may become Contracting Parties to this Convention.

Although the concept of “EUROP wagons” no longer seems to exist, it may well be that pooling systems for wagons are still in place, including for spare parts. At the same time, mainly containers are nowadays used for goods transports by rail.

The Working Party is invited to assess the application of the Convention prior to considering to enlarge its geographical coverage or scope.

11. Custom Convention on Containers, done at Geneva on 18 May 1956

A. Objective

The objective of this Convention is to develop and to facilitate the use of containers in international traffic.

B. Key provisions

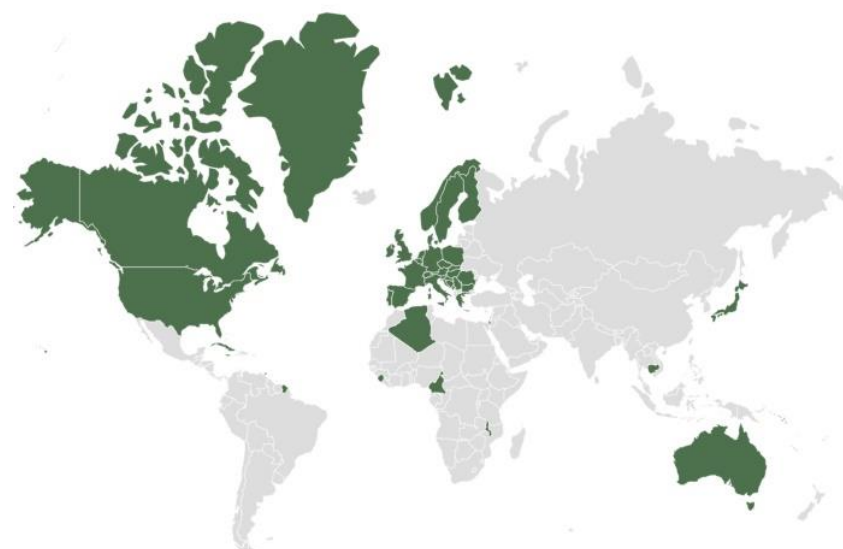
Each of the Contracting Parties shall grant temporary admission free of import duties and import taxes and free of import prohibitions and restrictions, subject to re-exportation, to containers when they are imported loaded to be re-exported either empty or loaded, or imported empty to be re-exported loaded.

C. Final clauses

treaties.un.org/doc/Treaties/1959/08/19590804%2001-44%20AM/Ch_XI_A_09p.pdf

See Articles 12 and 20.

D. Geographical scope and contracting parties



44 Contracting Parties:

Algeria, Antigua and Barbuda, Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Cambodia, Cameroon, Canada, Croatia, Cuba, Czechia, Denmark, Finland, France, Germany, Greece, Hungary, Ireland, Israel, Italy, Jamaica, Japan, Luxembourg, Malawi, Mauritius, Montenegro, Netherlands, Norway, Poland, Portugal, Romania, Serbia, Sierra Leone, Slovakia, Slovenia, Solomon Islands, Spain, Sweden, Switzerland, Trinidad and Tobago, United Kingdom of Great Britain and Northern Ireland, United States of America.

E. Preliminary considerations by the secretariat

Considering that, under application of its Article 20, the Customs Convention on Containers of 1972 terminates and replaces this convention, there does not seem any reason to review this Convention within the scope of the current exercise.

12. Container Convention, 1972 done at Geneva on 2 December 1972

A. Objective

The objective of the Convention is to facilitate the temporary use of containers in international transport.

B. Key provisions

The 1972 Convention, which replaces the Convention of 1956, pursues its objective by deferring payment of taxes and duties for the temporary use in a Contracting Party of containers registered in another Contracting Party. The Convention provides for competent authorities to be supplied with surety in case export does not happen. It also provides detailed description of the temporary admission procedure for containers. This does not include the tractor unit. Unlike the conventions on the temporary importation of vehicles, there are no document requirements in the Container Convention. The guarantee is based on an undertaking of the container owner. The Convention also provides for technical prescriptions for customs secure sealing of containers, in line with provisions of TIR Convention. The Convention, managed by an Administrative Committee, is open to all Member States of the United Nations. The World Customs Organization provides the secretariat to the Convention.

C. Final clauses

www.unece.org/fileadmin/DAM/trans/conventn/ccc_1972e.pdf

See Articles 18 and 21.

D. Geographical scope and contracting parties



40 Contracting Parties:

Algeria, Armenia, Australia, Austria, Azerbaijan, Belarus, Bulgaria, Burundi, Canada, China, Cuba, Czechia, Finland, Georgia, Hungary, Indonesia, Kazakhstan, Kyrgyzstan, Lebanon, Liberia, Lithuania, Montenegro, Morocco, New Zealand, Poland, Republic of Korea,

Republic of Moldova, Romania, Russian Federation, Saudi Arabia, Serbia, Slovakia, Spain, Switzerland, Trinidad and Tobago, Tunisia, Turkey, Ukraine, United States of America, Uzbekistan.

E. Preliminary considerations by the secretariat

Considering its global accessibility and in view of its generic application, there does not seem any reason to review the Convention under the current exercise.

13. European Convention on Customs Treatment of Pallets Used in International Transport, done at Geneva on 9 December 1960

A. Objective

The objective of this Convention is to extend the use of pallets in international transport, resulting, in particular, from the pooling of pallets.

B. Key provisions

Each Contracting Party shall grant admission, without payment of import duties and import taxes, and free of import prohibitions or restrictions, to pallets on condition:

(a) that they have been previously exported or that they will be subsequently re-exported, or

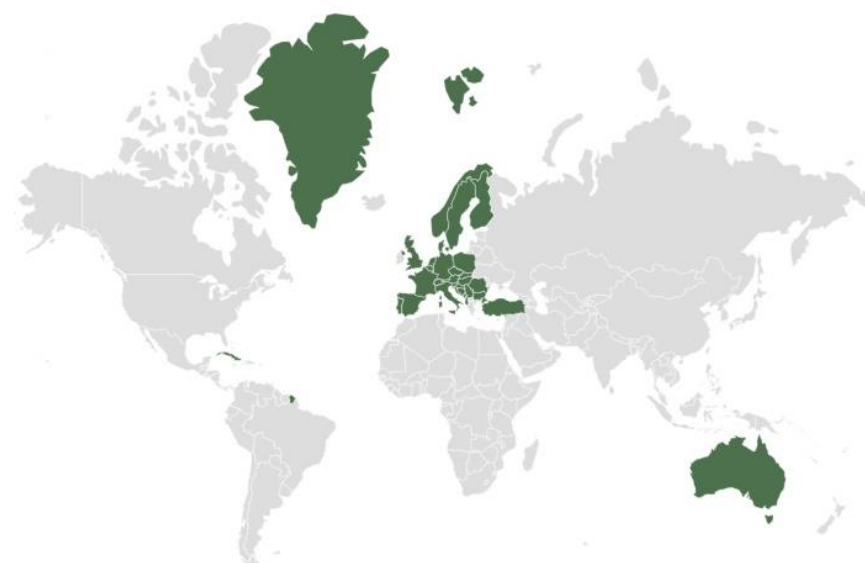
(b) that an equal number of pallets of the same type and substantially the same value have been previously exported or will be subsequently exported.

C. Final clauses

www.unece.org/fileadmin/DAM/trans/conventn/palette.pdf

See Articles 6 and 14.

D. Geographical coverage and contracting parties



30 Contracting Parties:

Albania, Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Croatia, Cuba, Czechia, Denmark, Finland, France, Germany, Hungary, Italy, Luxembourg, Montenegro, Netherlands, Norway, Poland, Portugal, Romania, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, Turkey, United Kingdom of Great Britain and Northern Ireland.

E. Preliminary considerations by the secretariat

Through its Article 6, the Convention is *de facto* open to all members of the United Nations. Although this Convention does not seem to be widely used nowadays, it may very well still serve as basis for more recent legislation.

14. International Convention on the Harmonization of Frontier Controls of Goods, done at Geneva on 21 October 1982**A. Objective**

The Convention aims at facilitating border crossing in the international transport of goods through the harmonization and reduction of the requirements for completing formalities as well as the number and duration of controls at borders.

B. Key provisions

The Convention establishes the procedures for carrying out efficiently all types of controls that may be necessary at borders, including customs controls, medico-sanitary inspections, veterinary inspections, phytosanitary inspections, controls of compliance with technical standards and quality controls. Procedures largely call for national cooperation and coordination of the various services among them, as well as for international cooperation between the respective border services of the adjacent countries. In this respect, the Convention foresees measures that include joint controls of goods and documents through the provision of shared facilities, same opening hours and same types of services at the same border. These procedures apply to all goods being imported, exported or in transit and to all modes of transport. An Administrative Committee manages the Convention, which is foreseen for global application.

C. Final clauses

www.unece.org/fileadmin/DAM/trans/conventn/ECE-TRANS-55r2e.pdf

See Articles 16 and 22.

D. Geographical coverage and contracting parties



58 Contracting Parties:

Albania, Armenia, Austria, Azerbaijan, Belarus, Belgium, Bosnia and Herzegovina, Bulgaria, Croatia, Cuba, Cyprus, Czechia, Denmark, Estonia, European Union, Finland, France, Georgia, Germany, Greece, Hungary, Iran (Islamic Republic of), Ireland, Italy, Jordan, Kazakhstan, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lesotho, Liberia, Lithuania, Luxembourg, Mongolia, Montenegro, Morocco, Netherlands, North Macedonia, Norway, Poland, Portugal, Republic of Moldova, Romania, Russian Federation, Serbia, Slovakia, Slovenia, South Africa, Spain, Sweden, Switzerland, Tajikistan, Tunisia, Turkey, Turkmenistan, Ukraine, United Kingdom of Great Britain and Northern Ireland, Uzbekistan.

E. Preliminary considerations by the secretariat

This Convention is open to all United Nations Member States. Even though the Convention is widely used, there has been repeated criticism from various sides on the repetitive structure of, in particular, the Annexes of the Convention or the lack of catering for requirements in the field of Information and Communication Technologies (ICT). Thus, the Working Party is invited to consider if amending this Convention seems warranted. In this context, the Working Party should, however, keep in mind that, in accordance with its Article 22, paragraph 4, one objection is sufficient for any amendment not to enter into force. Ultimately, the Working Party may consider to conduct a Review Conference, under application of Article 24 of the Convention.

15. Convention on Customs Treatment of Pool Containers Used in International Transport, done at Geneva on 21 January 1994

A. Objective

The objective of the Convention is to facilitate further the international transport of goods carried by containers belonging to a Container Pool.

B. Key provisions

The Convention pursues this objective through the duty- and tax-free admission of containers belonging to a Pool and by simplifying the regime set up by the Customs Convention on Containers, of 1972. According to this regime, each container entering a country temporarily needs to be identified and registered, must be re-exported within a certain time period (usually 3 months) and can only be used once for domestic transport. However, under the Pool Convention, each Contracting Party assigns a certain number of its own containers to a Pool and allows an equal number of such Pool containers to travel within its territory without any restriction. The only administrative procedure then required for a country is to check at specific intervals whether a balance between the number of its own Pool containers and the number of Pool containers at any moment in its country is kept, i.e. instead of controlling each and every container, only the balance of a certain number of Pool containers needs to be checked. The Convention provides definitions of the use of containers in a pool and a detailed description of the temporary admission procedure for containers used in a pool. Administered by its own Administrative Committee, the Convention is open to all Member States of the United Nations.

C. Final clauses

www.unece.org/fileadmin/DAM/trans/conventn/poolcon.pdf

See Articles 14 and 21.

D. Geographical coverage and contracting parties



14 Contracting Parties:

Austria, Cuba, Czechia, European Union, Italy, Liberia, Lithuania, Malta, Poland, Slovakia, Slovenia, Sweden, United Kingdom of Great Britain and Northern Ireland, Uzbekistan.

E. Preliminary considerations by the secretariat

This Convention is open to all United Nations Member States. Since its entry into force, the Convention does not seem to attract much interest. Article 19 of the Convention stipulates that a meeting of the Administrative Committee to this Convention (AC.4) be convened (a)

two years after its entry into force and, thereafter (b) not less frequently than every five years. So far, no such meeting has been convened, due to a lack of interest from contracting parties.

16. Convention on International Customs Transit Procedures for the Carriage of Goods by Rail under Cover of SMGS Consignment Notes, done at Geneva on 9 February 2006

A. Objective

The objective of this Convention is to simplify administrative formalities in international transport by rail with a view to reducing, in particular, border controls, by means of using the SMGS¹ consignment note as customs document.

B. Key provisions

A consignment note used in accordance with this Convention by competent authorities of Contracting Parties has the same legal effect in the other Contracting Parties as a consignment note used by the competent authorities of each Contracting Party.

C. Final clauses

www.unece.org/fileadmin/DAM/trans/conventn/2007SMGS-e.pdf

See Articles 21 and 27.

D. Geographical coverage and contracting parties

The Convention has no Contracting Party and one signatory (Ukraine).

E. Preliminary considerations by the secretariat

Through its Article 25, the Convention is *de facto* open to all members of the United Nations. There does not seem any reason to review this Convention under the current exercise.

17. Convention on the Facilitation of Border Crossing Procedures for Passengers, Luggage and Load-luggage Carried in International Traffic by Rail, done at Geneva on 22 February 2019

A. Objective

The objective of this Convention is to facilitate and expedite the crossing of borders in the international carriage by rail of passengers, luggage and load-luggage in order to reduce the running times of trains and increase the competitiveness of rail transport.

B. Key provisions

The Convention (a) facilitates and expedites border-crossings by means of efficient state control systems and the application of international standards; (b) extends the use of modern technologies, in particular automatic gauge changeover technologies and high-speed rolling

¹ SMGS stands for “Agreement on International Goods Transport by Rail of 1 November 1951.”

stock technologies; (c) reduces timeframes for the completion of technological operations and state controls; (d) provides comfort and quality of service for passengers, while reducing the running times of trains; and (e) facilitates visa issuance procedures.

C. Final provisions

www.unece.org/fileadmin/DAM/trans/conventn/Rail_border_crossing_procedures_for_passengers_2019_e.pdf

See Articles 21 and 27.

D. Geographical scope and contracting parties

The convention is open to all Member States of the United Nations. It has no Contracting Party, one signatory (Chad).

E. Preliminary considerations by the secretariat

The Convention has global coverage. There does not seem any reason to review the Convention under the current exercise.
