



Economic and Social Council

Distr.: General
28 October 2022

Original: English

Economic Commission for Europe

Inland Transport Committee

Working Party on Customs Questions affecting Transport

161st session

Geneva, 11 (p.m.), 12 (a.m.) and 14 (a.m.) October 2022

Report of the Working Party on Customs Questions affecting Transport on its 161st session

Contents

	<i>Paragraphs</i>	<i>Page</i>
I. Attendance.....	1	3
II. Adoption of the agenda (agenda item 1)	2	3
III. Activities of United Nations Economic Commission for Europe bodies and other United Nations organizations of interest to the Working Party (agenda item 2).....	3–7	3
Alignment of the work of the Working Party with the Inland Transport Committee Strategy.....	3–7	3
IV. Customs Convention on the International Transport of Goods under Cover of TIR Carnets (TIR Convention, 1975) (agenda item 3)	8–22	4
A. Status of the Convention.....	8	4
B. Revision of the Convention	9	4
Amendment proposals to the Convention.....	9	4
C. Application of the Convention.....	10–22	4
1. Comments to the TIR Convention.....	10	4
2. eTIR.....	11–14	4
(a) eTIR international system: interconnection projects.....	11	4
(b) Activities of the Technical Implementation Body	12	4
(c) International TIR Data Bank.....	13–14	4
3. New developments in the application of the Convention.....	15	5
4. TIR-related electronic data interchange systems.....	16	5
5. Settlement of claims for payments	17	5
6. Other matters	18–22	5

V.	International Convention on the Harmonization of Frontier Controls for Goods, 1982 (Harmonization Convention) (agenda item 4)	23–27	6
A.	Status of the Convention.....	23	6
B.	Issues in the application of the Convention	24–27	6
VI.	Convention on the Facilitation of Border Crossing Procedures for Passengers, Luggage and Load-Luggage carried in International Traffic by Rail (agenda item 5).....	28	6
	Status of the Convention	28	6
VII.	Customs Conventions on the Temporary Importation of Private Road Vehicles (1954) and Commercial Road Vehicles (1956) (agenda item 6).....	29–31	7
A.	Status of the Conventions	29	7
B.	Issues in the application of the Conventions.....	30–31	7
VIII.	Introduction of new technologies in rail, road, road-based mobility, inland waterway, logistics and intermodal transport until 2030 (agenda item 7)....	32–34	7
IX.	Activities of other organizations and countries of interest to the Working Party (agenda item 8).....	35–41	8
A.	European Union.....	36	8
B.	Economic Cooperation Organization.....	37	8
C.	World Customs Organization	38	8
D.	Islamic Development Bank.....	39–41	8
X.	Other business (agenda item 9)	42–46	8
A.	Dates of the next sessions	42–43	8
B.	Restriction on the distribution of documents	44	9
C.	List of decisions.....	45	9
D.	Tribute to Mr. Y. Genkov	46	9
XI.	Adoption of the report (agenda item 10)	47	9
Annexes			
I.	Dematerialization in Inland Water Transport.....		10
II.	List of decisions taken at the 160th session of the Working Party		11

I. Attendance

1. The Working Party held its 161st session on 11 (p.m.), 12 (a.m.) and 14 (a.m.) October 2022, virtually and in-person, in Geneva. The session was attended by representatives of the following countries: Albania, Austria, Belarus, Belgium, Bulgaria, Czechia, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iran (Islamic Republic of), Italy, Kuwait, Latvia, Lithuania, Netherlands, Norway, Poland, Republic of Moldova, Romania, Russian Federation, Serbia, Slovakia, Spain, Sweden, Switzerland, Türkiye, Turkmenistan, Ukraine, United Kingdom of Great Britain and Northern Ireland, Uzbekistan. Representatives of the European Union were present. The following non-governmental organizations were represented: Fédération Internationale de l'Automobile (FIA), International Road Transport Union (IRU), Islamic Development Bank (IsDB) and World Customs Organization (WCO).

II. Adoption of the agenda (agenda item 1)

2. The Working Party adopted the provisional agenda, as prepared by the secretariat.

III. Activities of United Nations Economic Commission for Europe bodies and other United Nations organizations of interest to the Working Party (agenda item 2)

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

3. The Working Party recalled its past discussions of the topic, which were initiated at its 154th session (February 2020) (Please refer to ECE/TRANS/WP.30/308, paras. 6–9, ECE/TRANS/WP.30/310, paras. 3 and 4, ECE/TRANS/WP.30/312, paras. 5–8, ECE/TRANS/WP.30/314, paras. 4–10, ECE/TRANS/WP.30/316, paras. 3–9, ECE/TRANS/WP.30/318, paras. 5 and 6 and ECE/TRANS/WP.30/320, paras. 5–13) on the basis of documents ECE/TRANS/WP.30/2020/1 and ECE/TRANS/WP.30/2020/8.

4. In particular, the Working Party recalled that, at its previous session (June 2022), it took note that the Inland Transport Committee (ITC), at its seventy-fifth session (February 2022), had welcomed the progress achieved during 2021 by its Working Parties in implementing the ITC Strategy until 2030. In the context of this activity, the Working Party noted that the secretariat had transmitted the findings at its 158th (October 2021) and 159th (February 2022) sessions to ITC, stating that the Working Party considered its contribution to this exercise finalized (ECE/TRANS/WP.30/320, para. 9).

5. The delegation of Switzerland informed the Working Party that his country had started proceedings towards denouncing the Customs Convention Concerning Spare Parts used for Repairing EUROP Wagons, 15 January 1958. As the procedure could be concluded at the level of the Federal Council, it was expected that the result could be announced at the next session. The secretariat informed the Working Party that the pool established by this convention had been relinquished in 2002.

6. Under this agenda item, the Working Party also recalled the new Terms of Reference (ToR) of the Inland Transport Committee (E/RES/2022/L.4) (see ECE/TRANS/316) and, in particular, that ITC now adopts the so-called hybrid approach for membership, meaning that non-ECE member States can participate as full members in segments of ITC sessions that deal with legal instruments to which they are contracting parties and remain in a consultative capacity in other parts (see ECE/TRANS/WP.30/320, para. 10). The Working Party requested the secretariat to prepare, for consideration at its next session a document comparing the new ITC ToR with the existing ToR of the Working Party, in order to assess whether any adjustment seemed appropriate.

7. The secretariat invited delegations to raise, under this agenda item, any further issue that could be of relevance for the future activities of the Working Party.

IV. Customs Convention on the International Transport of Goods under Cover of TIR Carnets (TIR Convention, 1975) (agenda item 3)

A. Status of the Convention

8. The Working Party was informed that the Convention has seventy-seven contracting parties and that TIR operations can be established with sixty-five countries. Detailed information on this issue as well as on depositary notifications is available on the TIR website.¹

B. Revision of the Convention

Amendment proposals to the Convention

9. The Working Party took note that, at present, no amendment proposals to the Convention had been submitted for its consideration. The Working Party recalled the extensive work undertaken in the past few years, leading up to the latest set of amendments that entered into force on 25 June 2022.

C. Application of the Convention

1. Comments to the TIR Convention

10. The Working Party took note that, at present, no proposals for comments to provisions of the Convention had been submitted for its consideration.

2. eTIR

(a) eTIR international system: interconnection projects

11. Recalling the vast amount of work undertaken in the field of eTIR, the Working Party was informed about the status of the various interconnection projects and took note that, on 7 October 2022, the secretariat had organized a workshop on the conformance tests with countries ready to start implementing eTIR without further delay (Azerbaijan, Georgia, Pakistan, Tunisia, Türkiye and Uzbekistan) as well as with IRU.

(b) Activities of the Technical Implementation Body

12. The Working Party agreed to refer to the report of AC.2 at its seventy-eighth session, in as far as relating to the outcome of the second session of the Technical Implementation Body (TIB), which took place on 30 August – 2 September 2022 (ECE/TRANS/WP.30/AC.2/TIB/4).

(c) International TIR Data Bank

13. The Working Party took note of the current status of data recordings in the International TIR Data Bank (ITDB) and, in particular, of the following figures: 1,161 web application users, 30,599 authorized holders recorded, 271 stamps and seals recorded, 2,783 customs offices recorded and of the web service usage for the past years. The Working Party also took note of the latest improvements of ITDB, in particular the deployment in production of the holder status change email notification in ITDB (as of 2 August 2022), the start of the

¹ www.unece.org/tir/tir-depositary_notification.html.

user acceptance testing of the eTIR portal (in September 2022), as well as the progress in the development of the two eTIR mobile apps, intended for holder staff and customs officers.

14. Under this agenda item, the delegation of Uzbekistan informed the Working Party about its efforts towards digitalization, also for ITDB and towards connecting national customs systems with international customs systems. The Working Party accepted an offer for a presentation at its next session.

3. New developments in the application of the Convention

15. No new development was raised under this agenda item.

4. TIR-related electronic data interchange systems

16. The Working Party was informed by IRU about the latest statistical data on the performance of contracting parties in the control system for TIR Carnets — SafeTIR system (Informal document WP.30 (2022) No. 7).

5. Settlement of claims for payments

17. The Working Party was informed by IRU about the current situation on the settlement of claims for payments made by customs authorities against national guaranteeing associations (Informal document WP.30 (2022) No. 8).

6. Other matters

18. The Working Party recalled that, at its previous session, the secretariat had invited countries to provide information on their national technical authorities in charge of performing technical checks, required under the TIR Convention, to issue or renew certificates of approval and to conduct technical checks and/or to nominate experts that could be invited to engage in technical workshops on the application of Annexes 2 and 7 of the Convention for interested parties of current and prospective contracting parties (ECE/TRANS/WP.30/320, para. 25).

19. The delegation of the European Union proposed to conduct a short survey on various aspects related to the issuance and renewal of certificates of approval and provided a list with some possible questions. From its side, IRU supported the proposal and expressed its willingness to contribute by providing some additional questions that were of specific interest to the private sector. At the same time, IRU recalled its previous statements on the challenges new TIR countries face with regard to the approval of TIR vehicles. IRU advocated the establishment of a set of best practices in this area, for inclusion in the TIR Handbook.

20. The Working Party requested the secretariat to prepare a document with the draft survey, for consideration at its next session.

21. The delegation of The State Customs Committee of the Republic of Belarus drew the attention of the Working Party to efforts to ensure maximum throughput of checkpoints with its neighbouring states of the European Union, as well as resuming the movement of vehicles through checkpoints whose work has been suspended. In addition to administrative measures, the Belarusian side was taking measures to reconstruct the customs infrastructure at the borders. Seven vehicle checkpoints with the European Union are being reconstructed: three with Poland, three with Lithuania and one with Latvia. By the end of 2025, the total design capacity of vehicle checkpoints in the Republic of Belarus would have been increased by 1,635 vehicles to 32,690 vehicles per day. The effective functioning of the checkpoints would contribute to the accelerated movement of humanitarian aid, food, medicines, as well as reducing vehicle downtime and costs for carriers.

22. The delegation of Türkiye raised problems in the application of the provisions of the TIR Convention by the customs authorities of the Russian Federation. Despite the general raise in the recommended guarantee amount from 50,000 \$ to 100,000 euros, the Russian authorities stop TIR transports with higher value goods and force them to put the load under a national transit procedure, in violation of Article 4 of the TIR Convention. This practice leads to additional costs for the transport sector, which had already suffered greatly from the COVID-19 pandemic. The delegation asked for a letter from the secretariat to raise this issue

with the Russian authorities. The Chair reminded all delegations of the extensive and opposing discussions that had taken place during the adoption of the amendment introducing 100,000 euros as recommended guarantee amount and requested the secretariat to reflect the statement in the report of the session.

V. International Convention on the Harmonization of Frontier Controls of Goods, 1982 (Harmonization Convention) (agenda item 4)

A. Status of the Convention

23. The Working Party was informed that, since the tenth session of the Administrative Committee for the International Convention on the Harmonization of Frontier Controls of Goods, 1982 (AC.3) in 2014, only Turkmenistan has acceded to the Convention, in 2016, becoming the fifty-eighth contracting party to the Convention. More detailed information on the status of the Convention as well as on various depositary notifications is available on the ECE website.²

B. Issues in the application of the Convention

24. Under this agenda item, the Working Party recalled that, at its previous session, it had mandated the secretariat to start with first preparations for the launch of the 2023 survey on the application of Annex 8 of the Harmonization Convention by reissuing document ECE/TRANS/WP.30/2009/8, with the list of questions approved at its 122nd session (June 2009). At that session, the Working Party had requested delegations to provide the secretariat with the names of dedicated focal points who should coordinate national replies. Delegations were, once more, invited to provide the secretariat with such information.

25. Regarding the survey, the Working Party took note that AC.3, at its eleventh session (June 2019), had established that, so far, the surveys only constituted a limited source of comparable data on progress in the application of Annex 8. The Committee had also agreed that the results of future surveys would no longer be anonymous, in order to be in a better position to assess and, where possible, act on them, on a country-by-country basis (ECE/TRANS/WP.30/AC.3/22, para. 19).

26. The Working Party reviewed document ECE/TRANS/WP.30/2009/8 and mandated the secretariat to circulate the survey in the spring of 2023, with the regular delegates from governments (and, in the absence thereof, TIR focal points) as addressees.

27. Under this agenda item, the Working Party recalled the survey on the application of Annex 9 of the Harmonization Convention (contained in Informal document SC.2 No. 3 (2021), conducted by the Working Party on Rail Transport (SC.2) with a deadline of 31 March 2022. The Working Party took note of document ECE/TRANS/SC.2/2022/10 by the secretariat of SC.2 and containing the responses to the survey. The Working Party decided to consider the document at its next session, based on the findings of SC.2 at its seventy-sixth session (November 2022).

VI. Convention on the Facilitation of Border Crossing Procedures for Passengers, Luggage and Load-Luggage carried in International Traffic by Rail (agenda item 5)

Status of the Convention

28. The Working Party recalled that, at its 156th session (February 2021), the delegation of the Russian Federation had informed the meeting that, at the national level, all required

² www.unece.org/tir/tir-depositary_notification.html.

procedures in preparation of signing the Convention had been completed and that a Government decree to that extent had been issued. Steps were being undertaken at the level of the Ministry of Transport in order to facilitate signing the Convention in New York (ECE/TRANS/WP.30/312, para. 32). The Working Party further recalled that, on 26 September 2019, Chad had become signatory to the Convention.³ No further developments were reported under this agenda item.

VII. Customs Conventions on the Temporary Importation of Private Road Vehicles (1954) and Commercial Road Vehicles (1956) (agenda item 6)

A. Status of the Conventions

29. The Working Party was informed that, since its previous session, no changes in the status and the number of contracting parties to the Customs Conventions on the Temporary Importation of Private (1954) and Commercial (1956) Road Vehicles had occurred and that the Conventions have eighty and twenty-six contracting parties, respectively. More detailed information on this issue as well as on depositary notifications is available on the TIR website.⁴

B. Issues in the application of the Conventions

30. Under this agenda item, the Working Party was briefed about any latest development in the implementation of a Memorandum of Understanding (MoU) between ECE and the Alliance Internationale de Tourisme / Federation Internationale de l'Automobile (AIT/FIA) 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. The team started preparing the concepts of the future system and will submit a document for consideration by the Working Party at one of its future sessions.

31. Under this agenda item, the secretariat informed the Working Party that, on 5 and 6 July 2022, it had participated in a FIA eConference “A Global Voice – Empower Sustainable growth”, delivering, inter alia, a presentation on the United Nations legal instruments in the era of digitalization.

VIII. Introduction of new technologies in rail, road, road-based mobility, inland waterway, logistics and intermodal transport until 2030 (agenda item 7)

32. The Working Party recalled that, as part of its to the ITC Strategy until 2030, delegations were invited, under this standing agenda item, to raise technological developments that could be introduced or applied within the context of the legal instruments under the auspices of the Working Party.

33. Under this agenda item, the Secretary of SC.3 briefed the Working Party about the latest developments on the introduction of electronic documents in the field of inland navigation, as contained in Annex to the final report.

34. Under this agenda item, the Working Party took note of a presentation by Ms. M. Lee from the secretariat on the launch of LearnITC: the Inland Transport and Trade Connectivity eLearning Platform that promotes sustainable transport and trade connectivity policies by increasing the capacity, knowledge base and skills of institutional and sectoral stakeholders. It provides various training materials and online courses on the United Nations inland transport and trade facilitation legal instruments, policy recommendations, standards and

³ www.unece.org/tir/tir-depositary_notification.html.

⁴ www.unece.org/tir/tir-depositary_notification.html.

other tools to support stakeholders striving towards sustainable transport and better trade connectivity. The platform is available at: <https://learnitc.unece.org/>.⁵

IX. Activities of other organizations and countries of interest to the Working Party (agenda item 8)

35. The Working Party took note of activities by various regional economic commissions or Customs Unions as well as by other organizations, both intergovernmental and non-governmental, and countries, as far as they relate to matters of interest to the Working Party.

A. European Union

36. The European Commission informed the Working Party that, with the effective date of 1 October 2022, Ukraine has joined the Common Transit Convention, constituting an important step forward in Ukraine's pre-accession strategy (Official Journal L247 (2022) of 23 September 2022).^{6,7}

B. Economic Cooperation Organization

37. There was no intervention from the Economic Cooperation Organization (ECO) under this agenda item.

C. World Customs Organization

38. There was no intervention from the World Customs Organization (WCO) under this agenda item.

D. Islamic Development Bank

39. The Working Party took note of a presentation by Mr. K. Basboga from the Islamic Development Bank (IsDB) on the work and recent projects conducted by the Islamic Development Bank (IsDB).

40. Mr. R. Kabulov (Uzbekistan) informed the Working Party about a recently conducted gap analysis of major border crossing points in Uzbekistan, which had been conducted, with support of ECE and IsDB.

41. Under this agenda item, Mr. R. Janssens of the secretariat informed the Working Party about the existence and application of the Sustainable Inland Transport Connectivity Indicators (SITCIN) as a tool to support governments to understand the performance of their road, rail, inland waterway, and inter-modal transport systems.

X. Other business (agenda item 9)

A. Dates of the next session

42. The Working Party tentatively decided to hold its 162nd session on 7 and 10 (a.m.) February 2023, in Geneva, subject to potential adjustments due to the ongoing United Nations liquidity crisis.

⁵ All presentations of the session will be posted on the WP.30 website.

⁶ <https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:22022D1642&from=EN>

⁷ https://taxation-customs.ec.europa.eu/news/customs-ukraine-join-common-transit-convention-and-convention-simplification-formalities-trade-goods-2022-09-05_en

43. The Working Party took note that the secretariat intends to organize, on 8 February 2023, a workshop dedicated to training new contracting parties and interested countries in correctly applying the provisions of the TIR Convention. Delegates from Governments and the private sector were invited to participate in and even contribute to the workshop. Details will be communicated at a later stage.

B. Restriction on the distribution of documents

44. The Working Party decided that there would be no restrictions on the distribution of documents issued in connection with its current session.

C. List of decisions

45. The list of adopted decisions is attached as Annex to the final report.

D. Tribute to Mr. Y. Genkov

46. The Working Party took note of the passing away of Mr. Youlian Genkov of IRU, after a long illness, and observed one minute of silence in recognition of his much-respected expertise in the application of the TIR system, his service to the transport industry and his longstanding participation in various TIR governing bodies.

XI. Adoption of the report (agenda item 10)

47. In accordance with established practice, the Working Party adopted the report on its 161st session, on the basis of a draft prepared by the secretariat.

Annex I

Dematerialization in Inland Water Transport

Digitalization in inland navigation has been recognized as one of the priorities for the sustainable development of the sector for the coming years:

- By the Ministerial Declaration “Inland Navigation in a Global Setting”, adopted in April 2018 in Wrocław, Poland. In the declaration, ministers acknowledged the role of modern technologies and digitalization in ensuring navigation safety and better logistics integration and invited countries and international organizations to promote its cross-border harmonized development;
- In the ECE White Paper on the Progress, Accomplishments and Future of Sustainable Inland Water Transport (IWT), endorsed by ITC in 2020. Policy Recommendation No. 6 calls for supporting the developments in digitalization of transport documents and operations.

This topic has been included into the strategic documents of the European Commission, such as the Sustainable and Smart Mobility Strategy and the NAIADES III Action plan for 2021-2027, the work programmes of the European Committee for drawing up Standards in the field of Inland Navigation (CESNI) and the European river commissions.

The existing international legal framework in Europe for transport documents in IWT is the Budapest Convention on the Contract for the Carriage of Goods by Inland Waterway (CMNI) which establishes uniform rules concerning contracts for the carriage of goods by inland waterways and could constitute a legal basis for work on their dematerialization.

To ensure success in this work, IWT experts take into consideration the experience of other modes of transport, first of all eCMR. However, in IWT, dematerialization covers not only transport documents, but also vessel’ papers and certificates of crew members. Existing tools such as River Information Services, in particular, the international standard for electronic ship reporting, adopted by the Working Party on Inland Water Transport (SC.3) resolution No. 101 and by CESNI, are being used to facilitate this.

Big shipping companies and ports are working on implementing their own electronic systems of documents and reporting, such as customs documents, delivery notes, information lists etc. However, the lack of coordinated policies at the international level of the relevant legal framework and open standards constitutes a major obstacle for establishing a reliable and harmonized system, accessible for all parties concerned.

In October 2018, SC.3 held a workshop on digitalization in IWT, where it noted the advantages for the sector, including streamlining document procedures, facilitating the movement of goods, avoiding excessive administrative burden and facilitating integration with other transport modes. In November 2020, SC.3 was informed about the ongoing (COVID-19) response project “Transport and Trade Connectivity in the Age of Pandemics”. To assist this project, SC.3 collected information from member States on transport documents.

Annex II

List of decisions taken at the 161st session of the Working Party

<i>Reference in final report (para.)</i>	<i>Short description of decision</i>	<i>Actor</i>	<i>Deadline</i>
2	The Working Party adopted the provisional agenda, as prepared by the secretariat.	WP.30	
6	Under this agenda item, the Working Party also recalled the new Terms of Reference (ToR) of the Inland Transport Committee (E/RES/2022/2) (see ECE/TRANS/316) and, in particular, that ITC now adopts the so-called hybrid approach for membership, meaning that non-ECE member States can participate as full members in segments of ITC sessions that deal with legal instruments to which they are contracting parties and remain in a consultative capacity in other parts (see ECE/TRANS/WP.30/320, para. 10). The Working Party requested the secretariat to prepare, for consideration at its next session a document comparing the new ITC ToR with the existing ToR of the Working Party, in order to assess whether any adjustment seemed appropriate.	Secretariat	
19–20	The delegation of the European Union proposed to conduct a short survey on various accepts related to the issuance and renewal of certificates of approval and provided a list with some possible questions. From its side, IRU supported the proposal and expressed its willingness to contribute by providing some additional questions that were of specific interest to the private sector. At the same time, IRU recalled its previous statements on the challenges new TIR countries face with regard to the approval of TIR vehicles. IRU advocated the establishment of a set of best practices in this area, for inclusion in the TIR Handbook. The Working Party requested the secretariat to prepare a document with the draft survey, for consideration at its next session.	Secretariat	
26	The Working Party reviewed document ECE/TRANS/WP.30/2009/8 and mandated the secretariat to circulate the survey in the spring of 2023, with the regular delegates from governments (and, in the absence thereof, TIR focal points) as addressees.	Secretariat	Spring 2023
27	Under this agenda item, the Working Party recalled the survey on the application of Annex 9 of the Harmonization Convention (contained in Informal document SC.2 No. 3 (2021), conducted by the Working Party on Rail Transport (SC.2) with a deadline of 31 March 2022. The Working Party took note of document ECE/TRANS/SC.2/2022/10 by the secretariat of SC.2 and containing the responses to the survey. The Working Party decided to consider the document at its next session, based on the findings of SC.2 at its seventy-sixth session (November 2022).	WP.30	
42	The Working Party tentatively decided to hold its 162nd session on 7 and 10 (a.m.) February 2023, in Geneva, subject to potential adjustments due to the ongoing United Nations liquidity crisis.		15 November 2022 – agenda 29 November 2022 – documents