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Economic Commission for Europe

Inland Transport Committee

Working Party on Customs Questions affecting Transport

164th session

Geneva, 10 and 13 (a.m.) October 2023

Item 2 of the provisional agenda

Activities of United Nations Economic Commission for Europe 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

2023 Review of Working Party mandates

Revision

Note by the secretariat

I. Introduction

1. On 18 May 2023, the Chair of the Inland Transport Committee (ITC) and the Director of the Sustainable Transport Division wrote to the Chairs of ITC Working Parties to invite their support and contribution to key decisions of ITC on its subsidiary Working Parties, notably the alignment of Working Parties' Terms of Reference and Rules of Procedures with those of the ITC, and the 2023 review of ITC Working Parties' mandates.
2. The letter and Annex I which provides a detailed overview of the recommended modalities of the review process is contained in an informal document available on the Working Party on Customs Questions affecting Transport (WP.30) website.
3. This document contains Annex II which is a template of recommended information.
4. To assist the Working Party on Customs Questions affecting Transport (WP.30), the secretariat has provided suggestions for Annex II. WP.30 is invited to consider and endorse these suggestions or alternatively provide appropriate text.

Annex

Recommended information for the review of the Inland Transport Committee Working Parties

1. This document is prepared in implementation of decision 8 of the Inland Transport Committee at its eighty-fifth session (ECE/TRANS/328, para 18). It covers the 5-year period 2018-2023.¹

[To be filled out by Chairs of ITC Working Parties on behalf of the respective bodies under their responsibility]

I. Subsidiary body mandates and governance framework

A. General Assembly / Economic and Social Council

B. United Nations Economic Commission for Europe

C. Inland Transport Committee

D. Memo item: Alignment with the Inland Transport Committee revised Terms of Reference and Rules of Procedure

- Past and present, including renaming of Working Parties, changes geographical scope and membership structure
- Planned
- Identified needs and gaps (outline and provide documentation).

II. Working Party objective

2. According to the terms of reference of the Working Party on customs questions affecting transport (WP.30) which were adopted at its 147th session (October 2017) (see ECE/TRANS/WP.30/294, para. 10) and are contained in Annex to document ECE/TRANS/WP.30/2017/19, its objectives are to:

(a) Initiate and pursue actions aimed at the harmonization and simplification of regulations, rules and documentation for border crossing procedures for the various modes of inland transport, with particular focus, where possible, on contributing to the advancement of the United Nations 2030 Sustainable Development Agenda (General Assembly Resolution A/RES/70/1.) and related Sustainable Development Goals;

(b) Analyse difficulties encountered at border crossings with a view to devising administrative procedures eliminating such difficulties;

(c) Administer and monitor the implementation of the Conventions and Agreements on border crossing facilitation under the auspices of the Working Party (Appendix);

(d) Review the above legal instruments to ensure their relevance as well as their coherence with other international or subregional treaties concerned with Customs and border

¹ If a Working Party considers it relevant, it may submit information for the period 2013-2023, i.e. since the previous full review of working parties.

crossing facilitation issues and to keep them in line with modern transport and border control requirements.

(e) Consider and endorse amendment proposals to the legal instruments listed in Appendix and, where appropriate, submit them to the relevant Administrative Committees (see point (n) below) for consideration and formal adoption;

(f) Consider and adopt recommendations, resolutions, comments and examples of best practices with regard to the implementation of these legal instruments and, where appropriate, submit them to the relevant Administrative Committees (see point (n) below) or ITC for consideration and formal approval;

(g) Study Customs questions with a view to streamlining Customs and other administrative procedures and documentation in the field of transport, in particular by promoting electronic data interchange solutions;

(h) Study specific legal and other measures to combat fiscal fraud resulting from simplified Customs and other border crossing procedures and foster the exchange of intelligence among the competent authorities of Contracting Parties to the relevant legal instruments on border crossing facilitation on abuses with a view to identifying measures to combat such occurrences;

(i) Promote the possible extension of the Agreements and Conventions from Appendix to other regions and encourages the accession of new countries to those;

(j) Encourage wider public and private participation in its activities by fostering cooperation and collaboration with countries, the European Commission, World Customs Organization, other international governmental and non-governmental organizations concerned with transport and border crossing facilitation and the other United Nations regional commissions and other organizations or bodies of the United Nations system with a view, among other things, to discussing and resolving problems relating to the interpretation or enforcement of the provisions of the relevant legal instruments;

(k) Create a working environment that facilitates fulfilment by the Contracting Parties of the obligations set forth in the legal instruments listed in Appendix, and an exchange of views on the interpretation of these instruments or the resolution of problems connected with their enforcement;

(l) Ensure openness and transparency during its meetings;

(m) Support training and capacity-building activities aimed at the proper implementation of the above legal instruments;

(n) Ensure close cooperation with and support for the activities of the Administrative Committees for the TIR Convention (AC.2), for the Harmonization Convention (AC.3), for the Convention on Customs Treatment of Pool Containers Used in International Transport (AC.4) and for the TIR Executive Board (TIRExB);

(o) Collaborate closely with other subsidiary bodies of ITC, particularly the Working Party on Road Transport (SC.1), the Working Party on Rail Transport (SC.2) and any other relevant United Nations Economic Commission for Europe (ECE) body on matters of common interest relating to Customs questions affecting transport;

(p) Draw up and implement a programme of work relating to its activities and reports on its accomplishment to ITC.

3. The list of legal instruments related to WP.30 in the annex of its TOR are:

(a) Convention concerning Customs Facilities for Touring, signed in New York on 4 June 1954

(b) 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

(c) Customs Convention on the Temporary Importation of Private Road Vehicles, signed in New York on 4 June 1954

- (d) Customs Convention on the International Transport of Goods under Cover of TIR Carnets (TIR Convention), of 15 January 1959
- (e) Customs Convention on the International Transport of Goods under Cover of TIR Carnets (TIR Convention), of 14 November 1975
- (f) Customs Convention on the Temporary Importation for Private Use of Aircraft and Pleasure Boats, of 18 May 1956
- (g) Customs Convention on the Temporary Importation of Commercial Road Vehicles, of 18 May 1956
- (h) International Convention to Facilitate the Crossing of Frontiers for Passengers and Baggage carried by Rail, of 10 January 1952
- (i) International Convention to Facilitate the Crossing of Frontiers for Goods Carried by Rail, of 10 January 1952
- (j) Customs Convention concerning Spare Parts Used for Repairing Europ Wagons, of 15 January 1958
- (k) Customs Convention on Containers, of 18 May 1956
- (l) Customs Convention on Containers, of 2 December 1972
- (m) European Convention on Customs Treatment of Pallets Used in International Transport, of 9 December 1960
- (n) International Convention on the Harmonization of Frontier Controls of Goods, 21 October 1982
- (o) Convention on Customs Treatment of Pool Containers Used in International Transport, 21 January 1994
- (q) Convention on International Customs Transit Procedures for the Carriage of Goods by Rail under Cover of SMGS Consignment Notes Geneva, 9 February 2006
- (r) Convention on the Facilitation of Border Crossing Procedures for Passengers, Luggage and Load-Luggage carried in International Traffic by rail, 22 February 2019.

III. Work areas covered by the Working Party [*substance*]

A. Transport facilitation (including customs and border-crossing facilitation) [*select one of the following*]

- ~~• Only work area~~
- **Main work area (customs and border-crossing facilitation)**
- ~~• Minor work area~~
- ~~• N/A~~

B. Safety (including Road safety) [*select one of the following*]

- ~~• Only work area~~
- ~~• Main work area~~
- **Minor work area**
- ~~• N/A~~

C. Environmental/climate performance [*select one of the following*]

- ~~• Only work area~~

- ~~• Main work area~~
- ~~Minor~~ Emerging work area
- ~~• N/A~~

D. Other (Digitization) [select one of the following]

- ~~• Only work area~~
- ~~• Main work area~~
- ~~• Minor Significant/emerging work areas~~
- ~~• N/A~~

IV. Work areas covered by the Working Party – efficiency and value added

A. Internal overlaps/duplication (other United Nations Economic Commission for Europe bodies performing similar/identical tasks) [expand as necessary, if more than one areas of overlap]

- Area of work 1: Border Crossing Facilitation / Customs questions affecting transport
 - ~~• Full overlap (explain)~~
 - ~~• Partial overlap (explain):~~
 - No overlap
- ~~• Area of work 2 (...)~~

B. External overlaps/duplication (other non-United Nations Economic Commission for Europe bodies performing similar/identical tasks) [expand as necessary, if more than one areas overlap]

- Area of work 1: Customs / Border crossing facilitation conventions
 - ~~• Full overlap (explain)~~
 - Partial overlap (explain): there is a partial overlap with the work of World Customs Organization. Several conventions that the Working Party is being administered such as the Convention concerning Customs Facilities for Touring, signed in New York on 4 June 1954, the 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, the Customs Convention on the Temporary Importation for Private Use of Aircraft and Pleasure Boats, of 18 May 1956, the Customs Convention on the Temporary Importation of Commercial Road Vehicles, of 18 May 1956, the Convention on Containers, of 2 December 1972, the European Convention on Customs Treatment of Pallets Used in International Transport, of 9 December 1960 and the Customs Convention on the Temporary Importation of Private Road Vehicles, signed in New York on 4 June 1954 have been included as annexes to the WCO Istanbul Convention of 1991.
 - ~~• No overlap~~
- ~~• Area of work 2 (...)~~

C. Internal synergies (with other United Nations Economic Commission for Europe bodies performing complementary tasks) [expand as necessary, if more than one areas of synergies]

- Area of work 1: Transport / Border Crossing Facilitation
 - There are synergies with SC.1 on road transport and SC.2 on rail transport concerning the implementation of the Harmonization convention. There is also synergy with WP.24 on intermodal transport and logistics on the implementation of TIR and eTIR on intermodal transport. There is also synergy with WP.5 on transport trends and economics on the preparation of studies concerning border crossing facilitation.

D. External synergies (with other non- United Nations Economic Commission for Europe bodies performing complementary tasks) [expand as necessary, if more than one areas of synergies]

- Area of work 1: implementation of the TIR Convention
 - IRU is mandated by the TIR administrative Committee to take on responsibility for the effective organization and functioning of the international guarantee of the TIR system.
- Area of work 2: implementation of the temporary importation conventions
 - FIA is mandated to operate the Customs Convention on the Temporary Importation of Commercial Road Vehicles, of 18 May 1956 and the Customs Convention on the Temporary Importation of Private Road Vehicles, signed in New York on 4 June 1954.
- Area of work 3: administration of the containers convention
 - At the United Nations/ Intergovernmental Maritime Consultative Organization (IMCO) (IMO today) Conference held in November 1972, the new Convention, namely the Customs Convention on Containers, 1972 was adopted and it was agreed that the administration of the Convention should be entrusted to the Customs Co-operation Council (now known as the World Customs Organization). The 1972 convention replaced the Customs Convention on Containers, of 18 May 1956 that was administered by UNECE.

V. Work methods

[please outline, e.g. numbers of meetings and official documents, other types of meetings, number of subsidiary Working Parties, supervision of informal groups or Groups of Experts, communication methods, etc.]

3. Between 2018 and 2023:

- WP.30 / Working Party on Customs Questions affecting Transport
 - has held 17 sessions (148-164)
 - has considered 100 formal documents and 73 informal documents and,
- AC.2 / TIR Administrative Committee:
 - has held 15 sessions (67-81)
 - has considered 140 formal documents and 58 informal documents
- TIR Executive Board (TIRExB)
 - has held 22 sessions
 - has considered 109 documents

- AC.3 / Administrative Committee of the Harmonization Convention
 - has held 2 sessions (11th and 12th)
 - has considered 6 formal documents
- Technical Implementation Body of eTIR (TIB)
 - has held 5 sessions (1 -5)
 - has considered 47 formal documents and 2 informal documents
- Group of Experts on Conceptual and Technical Aspects of Computerization of the TIR Procedure (WP.30/GE.1)
 - has held 3 sessions and 1 extraordinary (1-3)
 - has considered 102 formal documents and 11 informal documents
- Informal Ad hoc Expert Group on Conceptual and Technical Aspects of Computerization of the TIR Procedure (WP.30/GE.1)
 - has held 3 sessions and
 - has considered 26 informal documents

4. In total, for the period under discussion, WP.30 and its subsidiary bodies has held 67 sessions, considered 67 agendas and 67 reports, 504 formal and 170 informal documents.

VI. Main partners [please outline]

(a) Government sector: ECE member States, and other United Nations member States or non-United Nations member States but members of other United Nations agencies, contracting parties to the border crossing facilitation agreements administered by WP.30.

(b) International/intergovernmental organizations: Economic and Social Commission for Asia and the Pacific (ESCAP), Economic Commission for Africa (ECA), Economic and Social Commission for Western Asia (ESCWA), Economic Commission for Latin America and the Caribbean (ECLAC), the World Customs Organization, the European Union, the Eurasian Economic Union (EEU), the Economic Cooperation Organization (ECO), the Transport Corridor Europe-Caucasus-Asia secretariat (TRACECA), the Islamic Development Bank (IsDB), the Islamic Centre for Development of Trade (ICDT), the Intergovernmental Authority on Development (IGAD) and the Black Sea Economic Cooperation Organization (BSEC).

(c) Non-governmental sector: the International Road Transport Union (IRU) and its national associations, the Federation International de l'automobile (FIA), the International Federation of Freight Forwarders Associations (FIATA).

(d) Academia: not noticeable.

(e) Other (private sector): not noticeable.

VII. Results achieved (highlight major results since 2017)

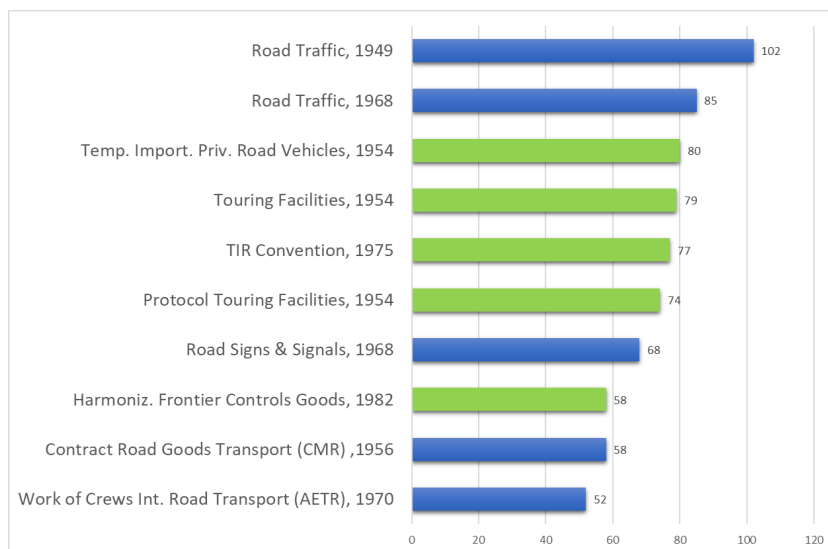
- Regulatory/Normative work and contracting parties (e.g., amendments to legal instruments, number of contracting parties, etc.)
 - In 2021, the amendments to various provisions of the body of the Convention and for a new annex 11, introducing eTIR in the legal text of the TIR Convention came into force.
 - In 2021, the amendment to annex 6 of the TIR 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 came into force.

- At its sessions in January and February 2022, TIB and AC.2, adopted the eTIR technical specifications, the eTIR concepts and the eTIR functional specifications, provided the complete legal and technical basis for those countries that are willing to implement the eTIR procedure.
- 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.
- In 2022, Azerbaijan, Georgia, Pakistan, Tunisia, Uzbekistan and IRU finalised the interconnection of their systems with the eTIR international system and Armenia and Turkey initiated the project.
- In December 2022, the first electronic TIR (eTIR) transport in line with the Customs Convention on the International Transport of Goods under Cover of TIR Carnets (TIR Convention) has taken place between Uzbekistan and Azerbaijan.
- The Convention on the Facilitation of Border Crossing Procedures for Passengers, Luggage and Load-luggage Carried in International Traffic by Rail, of 22 February 1919 was finalised and opened for signature.
- ECE and the Alliance Internationale de Tourisme / Federation Internationale de l'Automobile (AIT/FIA) signed a Memorandum of Understanding (MoU) on revitalising and digitalizing the relevant on temporary importation United Nations inland transport conventions and, in particular, the development of an eCPD (Carnet de Passage en Douane) system.

5. Five out of the 10 most acceded United Nations inland transport conventions globally are under the auspices of WP.30, making a total of 368 contracting parties.

Figure I

Top 10 United Nations inland transport conventions based on the number of contracting parties



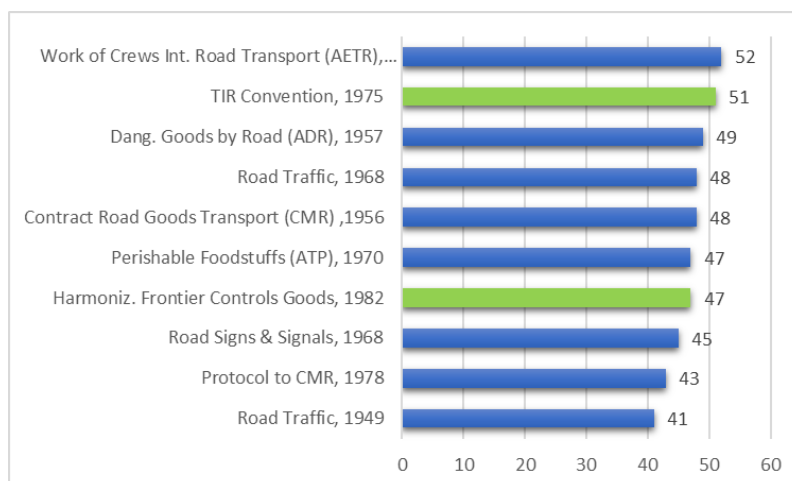
Source: ECE

6. The conventions with the highest number of individual contracting parties in the ECE region are: the European Agreement concerning the Work of Crews of Vehicles engaged in International Road Transport (AETR) which has 52 ECE contracting parties and the Customs Convention on the International Transport of Goods under Cover of TIR Carnets (1975 TIR Convention) which has 51 ECE contracting parties. They are followed by the Agreement concerning the International Carriage of Dangerous Goods by Road (ADR) with 49 ECE contracting parties.

7. Border crossing facilitation agreements (377 accessions) are well developed in the ECE region. With respect to road safety, one of the main pillars of inland transport conventions (vehicles regulations, road traffic, road signs, dangerous goods), 216 ECE accessions are broadly spread across them, with the ADR Convention being the most and the 1997 Agreement on periodic technical inspection the least subscribed to.

Figure II

Top 10 United Nations inland transport conventions based on the number of contracting parties in the ECE region

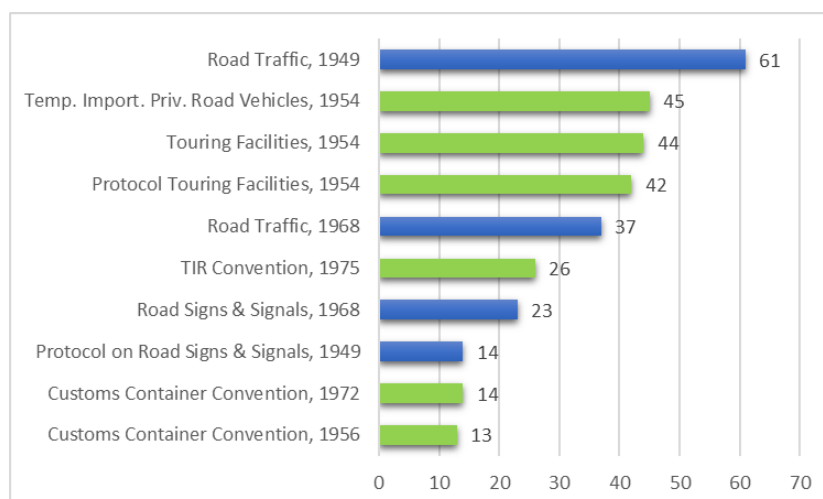


Source: ECE

8. Outside the ECE region, 6 out of the 10 inland transport conventions with the highest number of contracting parties are under the auspices of WP.30.

Figure III

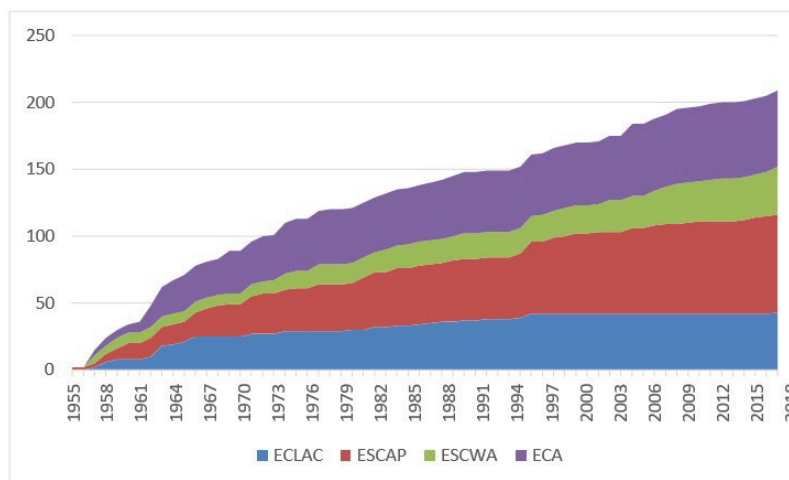
Top 10 United Nations inland transport conventions based on the number of contracting parties outside the ECE region



Source: ECE

9. Figure IV illustrates the cumulative border crossing conventions accessions by regional commissions (excluding ECE) over time.

Figure IV
Cumulative border crossing convention accessions by regional commissions (excluding ECE), over time



Source: ECE

10. Of the 33 member States of the United Nations Economic Commission for Latin America and the Caribbean (ECLAC), only 22 have acceded to at least one of ECE's transport conventions, thus 11 (33 percent) have not signed up to any. For border crossing, the region's 38 accessions show that progress has been made. It should be noted, though, that the majority of these are conventions were created in the 1950s, whereas there are only 2 signatories to the TIR Convention.

11. Countries, member States of the United Nations Economic Commission for Africa (ECA) have acceded to 153 transport conventions. Thirty-five countries have acceded to at least one convention, meaning that 19 (35 percent) have not. Border crossing facilitation has 57 accessions, but only 5 of these are to the TIR Convention.

12. 20 member States of the United Nations Economic and Social Commission for Western Africa (ESCWA) have acceded to 89 different transport conventions. The most common convention that has been acceded to is the TIR Convention with 12 accessions.

13. Among the 48 regional member States of United Nations Economic Commission for Asia and the Pacific (ESCAP), 36 member States acceded to 266 separate accessions. This means, however, that 12 (or 25 percent) of its members are not covered by a single transport convention. The conventions that are most acceded to by ESCAP countries are the 1949 convention on road traffic (25 accessions) and the TIR Convention (17).

- Capacity development and technical assistance (e.g., seminars, webinars, other activities)
 - a new web site for eTIR was developed. A dedicated, 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.
 - Observatory on Border Crossings Status due to COVID-19 / Online application that presents the status of border crossing points due to COVID-19 restrictions (March 2020)
 - Border Crossings in the age of COVID-19: TIR keeps borders open. A UNECE-IRU flyer (May 2020)
 - A series of technical assistance workshops and seminars have taken place during the period under discussion. Specifically:
 - Capacity building seminars on the interconnection of eTIR international system with the national customs systems of Israel (May 2020), Islamic

Republic of Iran (June 2020), Azerbaijan (July 2020), Tunisia (July 2020), Turkey (July 2020), Moldova (October 2020), Pakistan (October 2020), Georgia (October 2020), Morocco (October 2020), Armenia (February 2021), Uzbekistan (March 2021), Tajikistan (May 2021) and Kyrgyzstan (June 2021).

- TIR Executive Board (TIRExB) Friends of the Chair meeting on transforming the middle corridor to an eTIR corridor (June 2023, Uzbekistan)
- Training Workshop on TIR/ eTIR and CMR /eCMR in IGAD’s member States (March 2023, Djibouti)
- Implementation of the TIR Convention, 1975: challenges and opportunities (AC.2, February 2023, Geneva)
- TIR Executive Board (TIRExB) Workshop on Intermodal aspects of the TIR Convention (October 2022, online)
- Workshop on the Conformance tests on interconnections with the eTIR international System (October 2022, online)
- High-level workshop on the functioning of the 1954 and 1956 temporary importation conventions and their digitalization (June 2022).
- Training Workshop on TIR/ eTIR and CMR /eCMR of the OIC African Countries (June 2022, Morocco)
- Capacity building workshop: implementation of the eTIR international system in the ESCWA region (December 2020, Lebanon)
- Analytical work
 - In June 2021, WP.30, following a recommendation from OIOS, considered and approved the study on the reasons for the decline in the sale of TIR Carnets, which contained a concrete action plan to be implemented by AC.2 and the secretariat in order to achieve the revitalization of the TIR system.
 - the TIR Executive Board prepared in 2022 a study on Intermodal Aspects of the TIR Convention which was submitted approved by AC.2. AC.2 “mandated the secretariat to start implementing the recommendations by TIREXB as included in its report”.

VII. Results and changes expected in near future

A. Possibilities for streamlining and synergizing activities within each of the expected results

14. The Working Party on customs questions affecting transport already discussed the revision of its terms of reference in order to align them with the new ITC ToR. One of the proposed changes is the name of the Working Party. This might be required in order to address its international rather than regional character, addressing the requirements of all contracting parties to the United Nations agreements administered by the Working Party but also further enhancing its border crossing facilitation dimension. Such a development will further increase synergizing activities either internally with the other working parties of the division or externally with organizations such as WCO, OSCE etc.

B. Ways of improving efficiency and methods of work

15. It should be ensured that more regional or global organizations that are dealing with topics of interest to the Working Party should join its sessions and present their activities, outputs and good practices. Such approach will further enhance cooperation with those

organizations, it might initiate common activities / projects / workshops and it will further enhance the role of the Working Party as the global forum on customs questions affecting transport and border crossing facilitation.

C. Expected results and related activities that may need to be reoriented/refocused to better reflect priority demands of member States and contracting parties

16. The start of eTIR operations and the use of the system by the majority of the TIR contacting parties is a priority. The Working Party could further assist on this objective by focusing more on capacity building workshops for both the customs authorities and the national associations further enhancing their understanding on Annex 11 requirements and accelerating efforts to interconnect to eTIR international system. Digitization of other border crossing facilitation conventions should be prioritized.

D. Possible optimization of the structure of the programme of work

17. Already the new terms of reference proposed, if approved, will lead to a streamline of the program of work since the customs questions affecting transport including all other border crossing facilitation topics will be discussed and analysed.

E. Areas identified for enhancement or abolishment, if any

18. The Working Party already deals, mainly through the work on the harmonization convention, on topics not directly related to customs such as professional drivers VISA. Most probably, activities such as capacity building / good practices sharing could be further enhanced following always mandates and requests provided by the Governments. This would further strengthen the global role of the working party as the border crossing facilitation forum.

F. Ways of improving communication and public outreach

19. Already the secretariat is developing and disseminates to all focal points and delegates a newsletter on transport and border crossing facilitation. This communication tool in the future should be prepared if possible every two months further increasing the possibilities of the working party to disseminate to a broader audience the results of its work and deliberations. The newsletter in combination with the dedicated and business oriented websites (i.e. www.etir.org), the dedicated videos prepared with partners and a carefully scheduled program of capacity building workshops will significantly improve the public outreach of working activities and achievements.

G. Any other comments

20. Globally, one of the most complicated elements in international transport transactions is to move goods across borders and bring them into efficient circulation in another country. In fact, the effort it takes to move these goods from one country to another, across borders, and by means of various modes of transport, is time consuming and costly. Border inefficiencies are, in fact, estimated to cost twice the amount of tariffs, while the removal of those inefficiencies could increase global trade by as much as US\$ 1 trillion, and create as many as 21 million jobs worldwide. The Working Party has a significant role to play. Having as flagship the United Nations border crossing facilitation conventions that administers being supported by the digitalization activities and capacity building efforts the Working Party could become the global forum on customs questions and border crossing facilitation.