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Item 7 of the provisional agenda

Customs Conventions on the Temporary Importation of Private Road Vehicles (1954) and Commercial Road Vehicles (1956): Issues in the application of the Conventions

Report of the Informal Ad hoc Expert Group on digitalization of the Carnets de Passage en Douane on its second session*

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* This document was submitted late due to delayed inputs from other sources.

I. Attendance

1. The Informal Ad hoc Expert Group on digitalization of the Carnets de Passage en Douane (CPDs) (further referred to as “the Expert Group”) held its second session on 21 May 2024 online.
2. The session was attended by experts from Albania, Australia, Cyprus, Denmark, Finland, France, Germany, India, Iran (Islamic Republic of), Moldova, Saudi Arabia, Türkiye, and United Kingdom of Great Britain and Northern Ireland. Representatives of European Union attended the meeting. Experts from the TIR Executive Board (TIRExB), the automobile and touring club of Egypt, the Touring and Automobile Club of the Islamic Republic of Iran (TACI), the Automóvel Club de Portugal, International Association of Road Hauliers of Moldova (AITA), the Saudi Automobile & Touring Association, the Automobil Club Switzerland, the Touring Club Suisse, the Turkmen Association of International Road Carriers (THADA), the Universal Risk Ltd, the UDITIS SA, the PZM Travel, the Automobile Club du Luxembourg, the Federation Internationale de l’Automobile (FIA), the International Road Transport Union (IRU) also attended the session.

II. Adoption of the agenda (agenda item 1)

3. The Expert Group adopted its provisional agenda (Informal document No.1 (2024) as prepared by the secretariat.

III. Elections of officers (agenda item 2)

4. Mr. Anıl Şenmanav (Türkiye) Chair of the Global forum on Customs questions affecting transport including border crossing facilitation kindly offered his services as Chair of the second session of the informal group of experts on digitalization of the Carnets de Passage en Douane (CPDs).

IV. New developments relevant to the temporary importation conventions (agenda item 3)

A. Status of the Convention

5. The secretariat informed the Expert Group that there were not any updates regarding the status of the Customs Convention on the Temporary Importation of Commercial Road Vehicles, of 18 May 1956 and of the Customs Convention on the Temporary Importation of Private Road Vehicles, signed in New York on 4 June 1954.

B. Status of the Carnets de Passage en Douane

6. FIA Secretariat presented its efforts regarding expanding the geographical scope of the conventions mainly through the organization of capacity building workshops. A workshop was organised in Saudi Arabia where also the process to identify a national guaranteeing association was launched. There is an urgent need for the digitalization of CPDs where a national target was set for non-paper CPDs until 2030. Meetings also were organised with the customs authorities of China to promote the further use of the CPDs however, proper digitalisation is required before further expanding the use of carnets in the region.

V. Digitalisation of the Carnets de Passage en Douane (agenda item 4)

A. Options in order to amend the Conventions.

7. The Expert Group recalled that at its first session discussed and agreed that in principle relevant to the digitalization of CPDs provisions should be prepared as amendment proposals to the two Conventions to be discussed and agreed by the contracting parties to the Convention and then, if possible, transmitted to the Secretary-General of the United Nations who shall circulate it to all Contracting Parties. The experts decided that they should focus their efforts on identifying the type of amendment proposals that should be suggested. Either new provisions should be proposed, or new annexes to the Conventions, or new protocols or a combination of those options. The experts requested the secretariat to prepare for their next session, a document that provides a summary of the options exist in order to amend the Conventions including the possible pros and cons of each option. The Expert Group considered Informal document No. 2 which was prepared by the secretariat and included a first attempt to summarize the possible options to amend the Conventions.

8. The experts agreed that the eCPD future system cannot be implemented outside of an international legal framework. The experts considered the following options to amend the conventions:

(a) Preparation of amendments to the conventions either in the form of new provisions or of a new annex. To increase the chances of having amendment proposals to the temporary importation Conventions accepted by all Contracting Parties, it could be envisaged that the implementation of the eCPD provisions is optional and that countries could, for example, appoint eCPD Customs offices when they are ready to do so.

(b) Preparation of an additional protocol to the Conventions. A supplementary Protocol would be a new legal instrument that would require signature, ratification and entry into force through the United Nations Depository procedures. The main benefit of this option is that it may be agreed that it will be an optional Protocol and thus only Contracting States that wish to become Parties to the Protocol will be bound by the obligations therein.

(c) Preparation of a new Convention. The main benefit of a new Convention on eCPD is that it could be acceded to by any United Nations Member State, even if they are not Contracting Parties to the temporary importation Conventions. Consequently though, this new Convention might have to include many of the provisions already present in the temporary importation Conventions, concerning the operations of paper carnets.

9. The experts agreed that a solution should be found that it would take the less time to be prepared and agreed among the contracting parties while leaving the actual use of electronic Carnets open to those contracting parties willing to do so. It was noted that an eCPD system(s) will take time to be developed and become operational after having the amendment proposals agreed and coming into force. This means that a horizon of at least three years should be considered for having amendment proposals agreed and coming into force and an eCPD system(s) to be developed and become operational.

10. The experts decided that in order to be able to consider the best solution for amending the conventions should consider first the scope of the administration of the future system, the scope of the electronic CPDs including sustainability of the system and its financing and also the tasks that should be fulfilled by the contracting parties. The experts requested the secretariat to prepare such a document for their next session for their consideration.

B. CPD / eCPD procedures

11. The experts recalled that at their first session while brainstorming about the digitalisation efforts of the CPDs had pointed out that the work on the digitalization of CPDs is a great opportunity to further revitalize the two Conventions, streamline the current procedures and further therefore improve transparency, security, the flow of information and efficiency. Furthermore, it was noticed that the digitalization efforts should include not only the data that exists in the paper CPD but also the procedures that are being described in the Conventions further streamlining those procedures increasing security and transparency.

12. Considering these two main points, the experts requested the secretariat to prepare a second document which would describe in as many details as possible the life cycle of the CPD and eCPD procedures for their consideration at the next session of the group. The study and agreement on the life cycle of the CPDs and of the operational procedures would be a first concrete step towards the digitalization.

C. Group's workplan – activities

13. The Expert Group recalled that its first session held a general first discussion – brainstorming on how the possible digitization of CPDs will take place, what are the possible challenges and opportunities that they should address and where they should focus their efforts. Also, a list of first recommendations was prepared for further analysis and discussions. The secretariat included in the agenda the topic of Group's workplan and activities with the aim the group may to re-address this list and categorize – prioritize those recommendations accordingly in order to start further analysing them during its future sessions.

14. The Expert Group requested the secretariat instead of start discussing this specific list result of their initial brainstorming, to prepare a survey to be distributed, if possible, to all contracting parties to the temporary importation conventions for their input and feedback. Such approach would provide the opportunity to all contracting parties to express their views on the digitalization of the eCPDS, provide their priorities and their ideas regarding streamlining of current procedures. The secretariat, based on the replies received shall prepare a document for the next session of the group summarizing with a structured way those replies for the consideration of the group.

VI. Other Business (agenda item 5)

A. Establishment of a formal group of experts

15. The Expert Group recalled that at its first session discussed that a formal group of experts should be established under the auspices of the working party on customs questions affecting transport (WP.30) where sessions are being organized providing parallel interpretation in three official ECE languages and the documents are being translated also in the three official languages. The experts requested the secretariat to bring this request for discussion at the next WP.30 session seeking its approval and guidance.

16. The secretariat informed the expert group that WP.30, during its February 2024 session, discussed group's report and its request to be transformed to a formal group of experts and requested the secretariat to prepare a document for its consideration at its next session in June including the terms of reference of such a group. The secretariat informed the experts that a formal group of experts has many benefits but has also a main disadvantage which is that online sessions are not permitted but only in person.

B. Other activities of interest

17. There was nothing reported under this agenda item.

C. Date and place of next session

18. The experts agreed that since there are a lot of documents to be prepared including a survey to be disseminated and results to be collected and analysed for the next session of the group that the next session should take place towards the end of September. This would leave enough time to the secretariat to prepare the documents required and circulate them for the experts review well before the third session of the group.

VII. Adoption of main decisions (agenda item 6)

19. The Expert Group adopted its the main decisions of the session concerning mainly the preparation of two documents and a survey for its next session. After the session, the secretariat will issue a report, which will be submitted for endorsement to WP.30.