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ECONOMIC COMMISSION FOR EUROPE

INLAND TRANSPORT COMMITTEE

Working Party on Customs Questions affecting Transport
(30 May - 2 June 2006)

**PROVISIONAL AGENDA AND ANNOTATIONS
FOR THE ONE-HUNDRED-AND-THIRTEENTH SESSION**

**to be held at the Palais des Nations, Geneva,
starting at 15.00 hours on Tuesday, 30 May 2006 ***

Note by the secretariat

* For reasons of economy, delegates are requested to bring copies of the documents mentioned in this provisional agenda to the meeting. There will be no official documentation available in the meeting room. Before the meeting, missing documents may be obtained directly from the UNECE Transport Division (Fax: +41-22-917-0039; e-mail: Poul.Hansen@unece.org). Documents may also be downloaded from the Internet web site of the UNECE Transport Division (<http://border.unece.org>). During the meeting, documents may be obtained from the UNOG Documents Distribution Section (Room C.337, 3rd floor, Palais des Nations). Documents mentioned in bold in the documentation overview under each agenda item of this agenda are documents issued for the present session.

The full text of the Conventions as well as complete lists of Contracting Parties to the Conventions referred to in this agenda are available on the UNECE web site: <http://www.unece.org/trans/conventn/legalinst.html#customs>.

Delegates are requested to complete the attached registration form also available from the Internet Web site of the UNECE Transport Division (<http://www.unece.org/trans/welcome.html>) and to transmit it to the UNECE secretariat, at the latest two weeks prior to the session, either by fax (+41-22-917-0039) or by e-mail (Poul.Hansen@unece.org). Prior to the session, delegates that do not hold a long term access badge are requested to present themselves at the Pass and Identification Unit of the UNOG Security and Safety Section, located at the Villa Les Feuillantines, 13, Avenue de la Paix (a map is attached) for the issuance of an identification badge. In case of difficulty, please contact by telephone the UNECE secretariat (internal extension 74030).

GE.06-21017

I. PROVISIONAL AGENDA

Tuesday 30 May 2006, p.m.

1. Adoption of the agenda
2. Activities of UNECE bodies and other United Nations organizations of interest to the Working Party
3. Activities of other organizations of interest to the Working Party
4. International Convention on the Harmonization of Frontier Controls of Goods, 1982 (“Harmonization Convention”)
 - (a) Status of the Convention
 - (b) Preparation of a new Annex on rail border crossing
5. International Convention to Facilitate the Crossing of Frontiers for Passengers and Baggage carried by Rail, of 10 January 1952
6. Customs Conventions on the Temporary Importation of Private Road Vehicles (1954) and Commercial Road Vehicles (1956)
 - (a) Status of the Conventions
 - (b) Application of the Conventions
7. Rail transit
8. Convention concerning Customs Facilities for Touring, 1954

Wednesday 31 May 2005

9. Customs Convention on the International Transport of Goods Under Cover of TIR Carnets (TIR Convention, 1975)
 - (a) Status of the Convention
 - (b) Revision of the Convention
 - (i) Implementation of Phases I and II of the TIR revision process and examples of best practices
 - (ii) Preparation of Phase III of the TIR revision process
 - (iii) Amendment proposals for the Convention

- (c) Application of the Convention
 - (i) Control system for TIR Carnets - IRU SafeTIR
 - (ii) Settlement of claims for payments
 - (iii) Issues relating to technical provisions
 - (iv) TIR Handbook
 - (v) Other matters
- 10. Prevention of the abuse of Customs transit systems by smugglers
- 11. Other business
 - (a) Dates of the next sessions
 - (b) Restriction on the distribution of documents

Thursday 1 June 2006

TIR Administrative Committee

Friday 2 June 2006

- 12. Adoption of the reports

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II. ANNOTATIONS TO THE PROVISIONAL AGENDA

1. ADOPTION OF THE AGENDA

Documentation: ECE/TRANS/WP.30/223.

In accordance with the Commission's rules of procedure, the first item to be considered is the adoption of the agenda (ECE/TRANS/WP.30/223).

2. ACTIVITIES OF UNECE BODIES AND OTHER UNITED NATIONS ORGANIZATIONS OF INTEREST TO THE WORKING PARTY

The Working Party will be informed about the results of relevant sessions of the Inland Transport Committee, its subsidiary bodies and other United Nations bodies and organizations as they relate to matters of interest to the Working Party.

3. ACTIVITIES OF OTHER ORGANIZATIONS OF INTEREST TO THE WORKING PARTY

The Working Party may wish to be informed about recent activities by the World Customs Organization (WCO), the European Commission (DG TAXUD), the World Trade Organization (WTO), the International Organization for Standardization (ISO) as well as by other governmental and non-governmental organizations as they relate to matters of interest to the Working Party.

4. INTERNATIONAL CONVENTION ON THE HARMONIZATION OF FRONTIER CONTROLS OF GOODS, 1982 ("HARMONIZATION CONVENTION")

Documentation: ECE/TRANS/55 (<http://border.unece.org> - Legal Instruments); Informal document No. 1 (2006).

(a) Status of the Convention

The Working Party will be informed of the situation concerning the scope and the number of Contracting Parties to the Convention. A complete list of Contracting Parties to the Convention is available at the following web site: http://www.unece.org/trans/conventn/agreem_cp.html#50. Information about the status of the Convention can be obtained from the following website: <http://untreaty.un.org/ENGLISH/bible/englishinternetbible/partI/chapterXI/subchapA/treaty17.asp>.

(b) Preparation of a new Annex on rail border crossing

The Working Party, at its one-hundred-and-twelfth session, took note of annex 1 of Informal document No. 1 (2006), transmitted by the Organization for the Collaboration of Railways (OSZhD), containing a draft for a new Annex to the Convention on facilitation of border crossing for railways.

The Working Party may wish to continue its considerations concerning the proposed new Annex to the Convention. The Working Party may also wish to be informed by the OSZhD about further progress in relation to this question.

5. INTERNATIONAL CONVENTION TO FACILITATE THE CROSSING OF FRONTIERS FOR PASSENGERS AND BAGGAGE CARRIED BY RAIL, OF 10 JANUARY 1952

Documentation: (<http://border.unece.org> - Legal Instruments); Informal document No. 1 (2006).

The Working Party may wish to take note that, in the framework of OSZhD's considerations concerning facilitation of border crossing procedures for railways, the OSZhD has also proposed to prepare a draft for a new International Convention to Facilitate the Crossing of Frontiers for Passengers and Baggage Carried by Rail (Informal document No. 1 (2006), annex 2). If adopted, it is the intention that the new Convention would replace the existing Convention of 1952.

The Working Party may wish to consider the proposal contained in Informal document No. 1 (2006).

6. CUSTOMS CONVENTIONS ON THE TEMPORARY IMPORTATION OF PRIVATE ROAD VEHICLES (1954) AND COMMERCIAL ROAD VEHICLES (1956)

Documentation: **ECE/TRANS/WP.30/2006/3**; TRANS/WP.30/2005/27; ECE/TRANS/107/Rev.1; ECE/TRANS/108; (<http://border.unece.org> - Legal Instruments).

(a) Status of the Conventions

The Working Party will be informed of the situation concerning the scope and the number of Contracting Parties to the Customs Conventions on the Temporary Importation of Private (1954) and Commercial (1956) Road Vehicles. Complete lists of Contracting Parties to the two Conventions are available at the following web site:

http://www.unece.org/trans/conventn/agreem_cp.html#39 and

http://www.unece.org/trans/conventn/agreem_cp.html#43. Information about the status of the Convention can be obtained from the following websites:

<http://untreaty.un.org/ENGLISH/bible/englishinternetbible/partI/chapterXI/subchapA/treaty8.asp>,

<http://untreaty.un.org/ENGLISH/bible/englishinternetbible/partI/chapterXI/subchapA/treaty10.asp>.

(b) Application of the Conventions

The Working Party may wish to recall that, at its one-hundred-and-eleventh session, it had considered document TRANS/WP.30/2005/27, transmitted by the AIT/FIA, concerning the issues of (a) the use of the term "so far as possible" contained in Articles 13.3 and 14.3 of the 1954 and 1956 Conventions, respectively and (b) the use of the term "force majeure" in the context of the application of an international Convention. The Working Party had requested the secretariat, together with the AIT/FIA, to prepare a document containing two comments to the Conventions.

The Working Party may wish to consider document ECE/TRANS/WP.30/2006/3, prepared by the secretariat in cooperation with the AIT/FIA.

7. RAIL TRANSIT

Documentation: ECE/TRANS/2006/9 and Corr.1.

The Working Party may wish to take note that the Inland Transport Committee at its sixty-eighth session in February 2006 had adopted the text of the Convention on International Customs Transit Procedures for the Carriage of Goods by Rail under Cover of SMGS Consignment notes. The Inland Transport Committee had decided that the Convention should be open for signature as from 1 June 2006 for one year. It had entrusted the secretariat with the verification and preparation of the final text for signature. In this context, the Working Party may wish to recall that the Convention enters into force six months after the date on which five Contracting Parties to the SMGS Agreement have signed the present Convention without reservations or have deposited their instrument of ratification or accession.

The Working Party may wish to be informed of the latest developments concerning this point of the agenda.

8. CONVENTION CONCERNING CUSTOMS FACILITIES FOR TOURING, 1954

The Working Party, at its one-hundred-and-twelfth session, noted that the provisions of the Conventions do not seem to be adjusted to modern Customs, touring and tourist practices and requirements.

The Working Party may wish to exchange views on specific provisions of the Convention with a view to initiating a process of amending the Convention to bring it into line with modern practices and requirements.

9. CUSTOMS CONVENTION ON THE INTERNATIONAL TRANSPORT OF GOODS UNDER COVER OF TIR CARNETS (TIR CONVENTION, 1975)

Documentation: ECE/TRANS/17 and Amends.1-25; **2005 TIR Handbook** (<http://tir.unece.org>).

(a) Status of the Convention

The Working Party will be informed of the situation concerning the scope and the number of Contracting Parties to the TIR Convention, 1975.

A complete list of Contracting Parties to the Convention, as well as a list of countries in which TIR operations can be undertaken, is annexed to the report of the fortieth session of the TIR Administrative Committee (TRANS/WP.30/AC.2/81, annex) and can also be found on the following web site: http://www.unece.org/trans/conventn/agreem_cp.html#48. Permanently updated information on the scope of the TIR Convention is available on the UNECE TIR web site: (<http://tir.unece.org>).

The Working Party may wish to take note that the following amendment to the Convention will enter into force on 1 April 2006:

- Amendments to Annexes 1 and 9 of the Convention adopted by the TIR Administrative Committee on 4 February 2005 (Depositary Notification C.N.1350.2005.TREATIES-6).

(b) Revision of the Convention**(i) Implementation of Phases I and II of the TIR revision process and examples of best practices**

The Working Party may wish to be informed of any new developments in relation to this question.

(ii) Preparation of Phase III of the TIR revision process

Documentation: ECE/TRANS/WP.30/2006/4; ECE/TRANS/WP.30/GE.1/2006/5;
ECE/TRANS/WP.30/GE.1/2006/4; ECE/TRANS/WP.30/GE.1/2006/3;
ECE/TRANS/WP.30/GE.1/2006/Informal document No. 2;
ECE/TRANS/WP.30/GE.1/2006/Informal document No. 1; ECE/TRANS/WP.30/224;
TRANS/WP.30/192; TRANS/WP.30/2005/32-TRANS/WP.30/AC.2/2005/18;
TRANS/WP.30/2005/2/Rev.1; Informal document No. 3 (2006); Informal Document No. 2 (2006).

The Working Party may wish to recall that, at its ninety-sixth session, it had decided to start work on Phase III of the TIR revision process, which would include a study of the following elements (TRANS/WP.30/192, para. 33):

- Revision of the TIR Carnet, including the insertion of additional data elements (ID number, HS code, value of goods, etc.);
- Use of new technologies in TIR operations also with a view to reducing the delay in notification of non-discharge.
- Revision of the TIR Carnet

The Working Party, at its one-hundred-and-twelfth session, took note that there did not seem to be any more issues to be dealt with under this item. Unless new issues are raised by delegations, the issue will not be considered further at future sessions.

- Use of new technologies

The Working Party may wish to recall its discussions at its one-hundred-and-twelfth session (ECE/TRANS/WP.30/224, paras. 34-38).

The Working Party may wish to consider and adopt document TRANS/WP.30/2005/32-TRANS/WP.30/AC.2/2005/18, prepared by the secretariat, containing the Reference Model for the eTIR project, which is now available in all official UNECE language versions.

The Working Party may wish to consider document ECE/TRANS/WP.30/2006/4, prepared by the secretariat, containing an overview of the mandates and opinions provided by the relevant TIR bodies, so far in the computerization process. The Working Party may wish to review the mandates and provide further views on the issue.

The Working Party may also wish to consider document ECE/TRANS/WP.30/GE.1/2006/5, prepared by the secretariat, containing the report of the ninth session of the Ad hoc Expert Group.

The Working Party may wish to decide on the further steps to be taken in relation to the eTIR project.

(iii) Amendment proposals for the Convention

Documentation: **ECE/TRANS/WP.30/2006/6; ECE/TRANS/WP.30/2006/5 ;**
ECE/TRANS/WP.30/224; ECE/TRANS/WP.30/2006/2; TRANS/WP.30/2005/29;
TRANS/WP.30/2005/24 and Corr.1; TRANS/WP.30/2005/23; TRANS/WP.30/2005/19;
TRANS/WP.30/2005/18; TRANS/WP.30/2005/17; TRANS/WP.30/2005/16;
TRANS/WP.30/2005/15; TRANS/WP.30/2005/12; TRANS/WP.30/2005/7;
TRANS/WP.30/2005/6; TRANS/WP.30/2004/38; TRANS/WP.30/2004/37;
TRANS/WP.30/2004/33; TRANS/WP.30/2004/32; TRANS/WP.30/2004/25;
TRANS/WP.30/2004/24; TRANS/WP.30/2004/14; TRANS/WP.30/2004/11;
TRANS/WP.30/2003/22; TRANS/WP.30/2003/11; TRANS/WP.30/2003/10;
TRANS/WP.30/2002/30; TRANS/WP.30/R.179; TRANS/WP.30/GE.2/2005/10;
TRANS/WP.30/GE.2/2005/9; TRANS/WP.30/GE.2/2005/8; TRANS/WP.30/GE.2/2005/7;
TRANS/WP.30/GE.2/2005/6; TRANS/WP.30/GE.2/2005/5; TRANS/WP.30/GE.2/2005/4
and Corr.1; TRANS/WP.30/GE.2/2005/3; TRANS/WP.30/GE.2/2005/2;
TRANS/WP.30/GE.2/2005/1; Informal document No. 5 (2006); Informal document No. 4 (2006);
Informal document No. 5 (2005) (GE.2); Informal document No. 3 (2005) (GE.2); Informal document
No. 8 (2005); Informal document No. 2 (2004); Informal document No. 3 (2003).

The Working Party may wish to recall that, at its one-hundred-and-twelfth session, it had considered a number of the amendment proposals of a strategic nature as well as the findings of the TIRExB concerning a number of amendment proposals of a technical nature. Furthermore, it had been informed of the outcome of the fifth session of the Ad hoc Expert Group on Phase III of the revisions process.

The Working Party requested the secretariat to prepare a document containing a consolidated overview of all amendment proposals, so far, with a view to making further progress in the considerations.

The Working Party may wish to consider document ECE/TRANS/WP.30/2006/5, prepared by the secretariat.

The Working Party may also wish to consider document ECE/TRANS/WP.30/2006/6, transmitted by the IRU, containing this organization's views on the amendments.

(c) Application of the Convention

(i) Control system for TIR Carnets - IRU SafeTIR

The Working Party may wish to be informed by the IRU about developments concerning the issue.

(ii) **Settlement of claims for payments**

Documentation: ECE/TRANS/WP.30/224.

The Working Party may wish to be informed by Customs authorities and the IRU of the present situation with regard to the settlement of claims for payments made by Customs authorities against national guaranteeing associations.

(iii) **Issues relating to technical provisions**

The Working Party may wish to be informed of any new developments concerning this point of the agenda.

(iv) **TIR Handbook**

Documentation: UNECE document (<http://tir.unece.org>); 2005 TIR Handbook.

The TIR Handbook contains the text of the Convention and its annexes, including the amendments to the Convention and Explanatory Notes, as well as all relevant comments adopted by the Working Party, the Administrative Committee and the TIRExB.

The 2005 version of the Handbook is available in the Arabic, Chinese, English, French, Russian and Spanish language versions both in hard copy, cd-rom and in electronic version for download from the UNECE TIR web site: <http://tir.unece.org>. Hard copies and cd-rom's can be obtained from the secretariat.

(v) **Other matters**

The Working Party may wish to consider any other issues and difficulties in the application of the Convention faced by Customs authorities, national associations, the international insurers or the IRU.

10. PREVENTION OF THE ABUSE OF CUSTOMS TRANSIT SYSTEMS BY SMUGGLERS

As in the past, the Working Party may wish, on a restricted basis, to exchange views concerning any special cases, devices and facilities used to abuse the TIR transit system.

The Working Party has, at its previous sessions, invited all Contracting Parties to the TIR Convention, 1975, and the World Customs Organization (WCO) to transmit all relevant information on such cases so that it could take the necessary steps, falling within its competence and mandate, to prevent such occurrences (TRANS/WP.30/127, paras. 55-57).

11. OTHER BUSINESS

(a) **Dates of the next sessions**

The Working Party may wish to decide on the dates for its next sessions.

The secretariat has already scheduled the one-hundred-and-fourteenth session of the Working Party to be held in the week from 25 to 29 September 2006 in conjunction with the forty-second session of the TIR Administrative Committee.

The one-hundred-and-fifteenth session of the Working Party is tentatively scheduled to be held during the week of 29 January to 2 February 2007.

(b) Restriction on the distribution of documents

The Working Party should decide whether there shall be any restrictions with respect to the distribution of documents issued in connection with its current session.

12. ADOPTION OF THE REPORTS

In accordance with established practice, the Working Party will adopt the report on its one-hundred-and-thirteenth session on the basis of a draft prepared by the secretariat. Given the present resource restrictions with regard to translation facilities, parts of the final report may not be available at the session for adoption in all working languages.

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