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INLAND TRANSPORT COMMITTEE

Working Party on Customs Questions affecting Transport

One-hundred-and-twenty-second session
Geneva, 16 - 19 June 2009

**ANNOTATED PROVISIONAL AGENDA
FOR THE ONE-HUNDRED-AND-TWENTY-SECOND SESSION**

To be held at the Palais des Nations, Geneva,
starting at 15.00 hours on Tuesday, 16 June 2009 ^{1/}, ^{2/}

^{1/} 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: wp.30@unece.org). Documents may also be downloaded from the UNECE Border Crossing Facilitation website <<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.

^{2/} 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 website: <<http://www.unece.org/trans/conventn/legalinst.html#customs>>. Delegates are requested to complete the registration form available from the Internet website of the UNECE Transport Division <<http://www.unece.org/trans/registfr.html>> and to transmit it to the UNECE secretariat, at the latest one week prior to the session, either by fax (+41-22-917-0039) or by e-mail (wp.30@unece.org). Prior to the session, delegates who do not hold a long-term access badge should obtain an identification badge at the UNOG Security and Safety Section, located at the Pregny Gate (14, Avenue de la Paix). In case of difficulty, please contact by telephone the UNECE secretariat (internal extension 75975). For a map of the Palais des Nations and other useful information, see website <<http://www.unece.org/meetings/practical.htm>>.

I. PROVISIONAL AGENDA

Tuesday, 16 June 2009, 15.00 hours

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 and countries 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) Annex 8 on road transport
 - (c) 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. Rail transit

Wednesday, 17 June 2009, 10.00 hours

7. 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
8. Other UNECE legal instruments for border crossing facilitation
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) Preparation of Phase III of the TIR revision process
 - (ii) 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) Review of Annex 10 of the Convention
 - (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, 18 June 2009, 10.00 hours

Seminar on the implementation of the Harmonization Convention

Friday, 19 June 2009, 10.00 hours

12. Adoption of the report

II. ANNOTATIONS TO THE PROVISIONAL AGENDA

Item 1 Adoption of the Agenda

Documentation: **ECE/TRANS/WP.30/243**

1. In accordance with the Commission's rules of procedure, the first item to be considered is the adoption of the agenda (ECE/TRANS/WP.30/243).

Item 2 Activities of UNECE bodies and other United Nations organizations of interest to the Working Party

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

Item 3 Activities of other organizations and countries of interest to the Working Party

3. The Working Party may wish to be informed of 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 far as they relate to matters of interest to the Working Party.

4. WP.30 may also wish to recall its discussion on the implementation of the WCO Framework of Standards to Secure and Facilitate Global Trade (SAFE) (ECE/TRANS/WP.30/242, paras. 9-13). In particular, the Working Party decided to further explore the implications of SAFE for the UNECE legal instruments in the area of border crossing facilitation, with a view to identifying which SAFE elements could be incorporated in those agreements, where appropriate. The delegations were invited to volunteer for such a study and to provide their contributions to the secretariat prior to the present session. WP.30 will be informed of the inputs received.

5. At the invitation of the Working Party at its 117th session (ECE/TRANS/WP.30/234, para. 12), Contracting Parties may wish to provide, under this agenda item, information on their

national, bilateral or regional experiences in the field of the computerized treatment of TIR Carnets, including the electronic exchange of data.

Item 4 International Convention on the Harmonization of Frontier Controls of Goods, 1982 (“Harmonization Convention”)

(a) Status of the Convention

6. The Working Party may wish to recall that the Harmonization Convention entered into force for Jordan and the Republic of Moldova on 13 February 2009 and 3 March 2009, respectively (Depositary Notifications C.N.856.2008.TREATIES-3 and C.N.978.2008.TREATIES-4). In addition, on 11 March 2009, Tunisia acceded to the Convention. It will enter into force for Tunisia on 11 June 2009, in accordance with Article 17 (2) (Depositary Notification C.N.156.2009.TREATIES-1).

(b) Annex 8 on road transport

Documentation: **ECE/TRANS/WP.30/2009/8**

7. At its previous session, the Working Party was informed by some delegations of their efforts to incorporate Annex 8 into their national legislation. At the same time, WP.30 was of the view that the implementation of the new Annex should be speeded up and requested the secretariat to conduct a survey of Contracting Parties to the Harmonization Convention in this respect. Such a survey should address, inter alia, specific questions regarding the use of the International Vehicle Weight Certificate (IVWC), in particular on the authorization procedures and publication of a list of agreed weighing stations, as well as the issue of road infrastructure. The results of the survey would be reported both to WP.30 and to the Administrative Committee of the Convention (AC.3) which, possibly, could be convened in 2009 or in 2010 at the latest (ECE/TRANS/WP.30/242, para. 17). Against this background, the Working Party may wish to consider a first draft questionnaire prepared by the secretariat (document ECE/TRANS/WP.30/2009/8).

8. At its previous session, the Working Party was of the view that the need for a separate agreement on the transport of live stock should be explored (ECE/TRANS/WP.30/242, para. 17). In this respect, the Working Party may wish to note that the underlying issue is duly covered by the European Convention for the Protection of Animals during International Transport, concluded under the auspices of the Council of Europe. This Convention was revised in 2003, also in consultation with the UNECE Transport Division. The revised Convention came into force in 2006. Further details can be found on the website of the European Council³.

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

Documentation: **ECE/TRANS/WP.30/2009/2 and Corr.1-3**

9. At its previous session, the Working Party endorsed the draft of a new Annex 9 agreed upon by OSJD, OTIF and EC, as contained in document ECE/TRANS/WP.30/2009/2, subject to

³ http://www.coe.int/T/E/Legal_affairs/Legal_co-operation/Biological_safety,_use_of_animals/Transport/

a few modifications, and requested the secretariat to issue the final text of the Annex and transmit it to AC.3 for consideration. To allow AC.3 to formally approve the amendment proposal, the Working Party invited all Contracting Parties to finalize their internal consultations procedures without delay and to inform the secretariat of any possible inconsistencies between the three language versions (ECE/TRANS/WP.30/242, para. 18). In line with the above request and following consultations with some delegations, the secretariat has issued corrigenda to the above document, namely Corr. 1 (English), Corr. 2 (Russian) and Corr. 3 (French).

Item 5 International Convention to Facilitate the Crossing of Frontiers for Passengers and Baggage Carried by Rail, of 10 January 1952

Documentation: ECE/TRANS/WP.30/2008/7; ECE/TRANS/WP.30/2007/12/Rev.1; ECE/TRANS/WP.30/2007/12; Informal document No. 2 (2008)

10. The Working Party will be informed that the Inland Transport Committee, at its February 2009 meeting, invited the governments of countries that are Contracting Parties to the International Convention to Facilitate the Crossing of Frontiers for Passengers and Baggage carried by Rail of 1952, to confirm that they would positively consider proposals to amend this Convention, as proposed by OSZhD and OTIF, once more countries have acceded to it (ECE/TRANS/206, para.60).

Item 6 Rail transit. The Convention on International Customs Transit Procedures for the Carriage of Goods by Rail under Cover of SMGS Consignment Note

11. At its previous session, the Working Party took note that, apart from Ukraine, no other countries had expressed interest to accede to the Convention on International Customs Transit Procedures for the Carriage of Goods by Rail under Cover of SMGS Consignment Note. The Working Party also noted that a number of SMGS countries already accept the SMGS Consignment Note as transit Customs declaration on the basis of national law (ECE/TRANS/WP.30/242, para. 20). The Working Party may wish to be informed of further progress in this field.

Item 7 Customs Conventions on the Temporary Importation of Private Road Vehicles (1954) and Commercial Road Vehicles (1956)

Documentation: ECE/TRANS/107; ECE/TRANS/107/Rev.1 (Russian only); ECE/TRANS/108

(a) Status of the Conventions

12. 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.

(b) Application of the Conventions

Documentation: ECE/TRANS/WP.30/2009/3

13. At its previous session, the Working Party took note of Informal document No. 1 (2009) submitted by AIT/FIA in cooperation with the secretariat, containing proposals for comments and best practices to assist in the proper application of the 1954 Convention. Having generally supported the purpose of this document, WP.30 decided to revert to this matter at its next session and requested the secretariat to re-issue Informal document No. 1 (2009) as an official document in all working languages (ECE/TRANS/WP.30/242, para. 22). Following this request, the secretariat has prepared document ECE/TRANS/WP.30/2009/3 which WP.30 may wish to consider.

Item 8 Other UNECE legal instruments for border crossing facilitation

14. The Working Party may wish to note that, on 11 March 2009, Tunisia acceded to the Customs Convention on Containers, 1972. The Convention will enter into force for Tunisia on 11 September 2009 in accordance with its Article 19 (2) (Depositary Notification C.N.157.2009.TREATIES-1).

15. The Working Party, at its previous session, noted that, according to the Convention on Customs Treatment of Pool Containers Used in International Transport, of 21 January 1994, the Administrative Committee for this Convention (AC.4) should be convened every five years. The Contracting Parties to the Container Pool Convention were requested to inform the secretariat of their interest in holding an AC.4 session in 2009-2010 (ECE/TRANS/WP.30/242, para. 23). So far, the secretariat has not received any information in this respect.

Item 9 Customs Convention on the International Transport of Goods under Cover of TIR Carnets (TIR Convention, 1975)

Documentation: ECE/TRANS/17 and Amends.1-28; 2007 TIR Handbook ^{4/}

(a) Status of the Convention

16. The Working Party will be informed of the situation concerning the scope of the TIR Convention, 1975 and the number of Contracting Parties. In particular, WP.30 may wish to note that, on 2 February 2009, the amendment proposal introducing a new Explanatory Note to Article 3 (a) was communicated to the Contracting Parties by means of Depositary Notification C.N.48.2009.TREATIES-1. It will enter into force on 1 October 2009, unless at least five objections are received before 1 July 2009. In addition, the TIR Administrative Committee, at its February 2009 session, approved an amendment proposal to Annex 6, Explanatory Note 0.8.3 concerning the maximum guarantee amount per TIR Carnet (ECE/TRANS/WP.30/AC.2/97, para. 22) and decided, in accordance with paragraph 1 of Article 60, that it will enter into force on 1 January 2010, unless at least five objections are received before 1 October 2009.

^{4/} <<http://tir.unece.org>>.

(b) Revision of the Convention

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

Use of new technologies

17. The Working Party will be informed of the outcome of the sixteenth session of the Informal Ad hoc Expert Group on Conceptual and Technical Aspects of Computerization of the TIR Procedure (GE.1) (Geneva, 28 and 29 April 2009). WP.30 may also wish to note that the Inland Transport Committee, at its February 2009 session, decided to prolong the mandate of GE.1 to the year 2009 and urged all Contracting Parties to the TIR Convention to participate in the activities of the Group (ECE/TRANS/206, para. 58).

18. The Working Party may also wish to consider other pending issues in relation to the eTIR project, as discussed at the previous session (ECE/TRANS/WP.30/242, para. 27).

(ii) Amendment proposals for the Convention

Documentation: ECE/TRANS/WP.30/2009/4 and **Corr. 1-3**; ECE/TRANS/WP.30/2009/5;
ECE/TRANS/WP.30/2009/9

19. At its previous session, the Working Party endorsed and decided to submit to the TIR Administrative Committee for adoption the amendment proposals contained in document ECE/TRANS/WP.30/2009/4, subject to few modifications (ECE/TRANS/WP.30/242, para. 30). The Administrative Committee, at its February 2009 session, approved in principle these amendment proposals. As the European Community was not in a position to formally accept them, the Committee decided to revert to this issue at its next session, thus allowing the Community to conclude its internal approval procedures. In the interim, the Committee requested the secretariat, in cooperation with French and Russian speaking delegations, to check the consistency between the three language versions (ECE/TRANS/WP.30/AC.2/97, paras. 23 and 24). Following this request, the secretariat has issued corrigenda to document ECE/TRANS/WP.30/2009/4: Corr. 1 in French, Corr. 2 in English and Corr. 3 in Russian.

20. The Working Party, at its previous session, considered the outstanding amendment proposals to Annex 9 (part I and a new part III), as laid down in document ECE/TRANS/WP.30/2009/5. The Working Party endorsed in principle the proposals by EC regarding Annex 9, part I, subject to the deletion of paragraph 3 (vi) and of the comment thereto. The Working Party also had a first exchange of views with respect to the authorization and duties of an international organization, as proposed in a new part III of Annex 9. In particular, the Working Party discussed whether paragraph 1 (c) of part III should be redrafted to incorporate a mandate by AC.2 to UNECE to sign an agreement with an international organization which would include the acceptance of that international organization of its duties as set out in paragraph 2. The Working Party decided to revert to this issue at the present session. Having proposed some other modifications to the text, the Working Party requested the secretariat to revise the document accordingly and to align, where necessary, the content with the already existing provisions of the TIR Convention. With a view to facilitating discussions at its next session, the Working Party invited delegations to submit to the secretariat not later than on 15 March 2009 comments or proposals to document ECE/TRANS/WP.30/2009/5

(ECE/TRANS/WP.30/242, para. 32). As no remarks were received before the deadline, the secretariat has issued a revised document ECE/TRANS/WP.30/2009/9 without such contributions. The Working Party is invited to consider this document.

(c) Application of the Convention

(i) Control system for TIR Carnets - IRU SafeTIR

21. The Working Party may wish to be informed by the IRU about the latest statistical data regarding the performance of Contracting Parties in the SafeTIR system.

(ii) Settlement of claims for payments

22. 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) Review of Annex 10 of the Convention

23. At its previous session, the Working Party was informed of TIRExB activities aimed at improving the implementation of Annex 10 at the national level. The TIRExB was collecting examples of best practice from various countries, in order to draft a generic best practice to be included in the TIR Handbook (ECE/TRANS/WP.30/242, para. 35). WP.30 will be informed of the progress made by TIRExB.

(iv) TIR Handbook

Documentation: 2007 TIR Handbook ^{5/}

25. 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 and the Administrative Committee. The 2007 version of the Handbook is available in the Arabic, Chinese, English, French, Russian and Spanish language versions in hard copy, CD-ROM and in electronic version for download from the UNECE TIR website. Hard copies and CD-ROMs can be obtained from the secretariat. At the previous session, the Working Party noted that the 2009 TIR Handbook would be issued in the second half of the year, in order to incorporate a maximum number of amendments and examples of best practices, some of which were expected to be finalized in the course of 2009 only (ECE/TRANS/WP.30/242, para. 36).

(v) Other matters

26. 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.

^{5/} <<http://tir.unece.org>>.

Item 10 Prevention of the abuse of Customs transit systems by smugglers

27. 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).

Item 11 Other business**(a) Dates of the next sessions**

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

29. The secretariat has already made arrangements for the 123rd session to be held in the week of 28 September - 2 October 2009 and for the 124th session to be held in the week of 1 - 5 February 2010.

(b) Restriction on the distribution of documents

30. The Working Party should decide whether or not there shall be any restrictions with respect to the distribution of documents issued in connection with its current session.

Item 12 Adoption of the report

31. In accordance with established practice, the Working Party will adopt the report on its 122nd 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.
