UNITED
NATIONS

E

Economic and Social Council

Distr.
GENERAL

TRANS/2004/15
16 February 2004

ENGLISH ONLY

ECONOMIC COMMISSION FOR EUROPE

INLAND TRANSPORT COMMITTEE
(Sixty-sixth session, 17-19 February 2004,
 agenda item 8)

TRANSPORT AND SECURITY

Note by the secretariat

BACKGROUND

1.   The Inland Transport Committee (ITC) may wish to recall that, at its sixty-fifth session, it had requested its subsidiary bodies to continue work in this field and to identify possible additional specific areas for further international action. The Committee invited those Governments who have not yet done so, to inform the secretariat of any relevant measures taken in this area at national level. The Committee considered that the question of transport and security should be addressed across all transport modes and take into account the work of other intergovernmental bodies in order to ensure proper alignment of any future measures in this field.

WORK IN PROGRESS IN ITC SUBSIDIARY BODIES

a)   Vehicle regulations

2.   The Working Party on General Safety Provisions is considering an amendment to Regulation No.97 (Vehicle alarm systems) in order to introduce a "vehicle degradation system". A vehicle degradation system means a device which, after previous activation, is intended to prevent or to restrict a vehicle being driven away by its own engine after standstill of the vehicle (TRANS/WP.29/GRSG/2003/26). Vehicle degradation systems will also be incorporated in the new draft Regulation on uniform technical prescriptions concerning the protection of motor vehicles against unauthorized use. The proposal is under consideration by a reduced group of experts and currently provides that these systems are intended to be optionally fitted in vehicles

of classes M1 and N1 (passenger vehicles and light commercial vehicles). An updated proposal by this group will be considered by GRSG at its April 2004 session.

b)   Dangerous Goods and Special Cargoes

3.   The RID/ADR/ADN Joint Meeting has adopted new security provisions, based on those recommended by the UN Committee of Experts on the Transport of Dangerous Goods and on the Globally Harmonized System of Classification and Labelling of Chemicals last December, for inclusion in RID, ADR and ADN and entry into force on 1 January 2005. They have already been approved for RID and they have been further discussed by WP.15 for ADR and ADN in January 2004. The new measures are contained in a new Chapter 1.10, with far-reaching practical consequences since they require, <u>inter alia</u>:

−   proper identification of carriers before shipment;
−   securing areas of temporary storage sites, vehicle depots, marshalling yards, etc. used for dangerous goods;
−   means of identification with photography carried by all crew members;
−   existing safety inspections to be extended to security;
−   existing mandatory training of staff involved in transport of dangerous goods to be extended to security;
−   for the "high-consequence" dangerous goods (which include gasoline in tank-vehicles), security plan to be developed by consignor, carrier and all other participants in the transport operation, and application of measures to prevent theft.

c)   Infrastructure networks, including rail, combined and inland waterways transport

4.   The Working Parties on Rail Transport (SC.2) and Combined Transport (WP.24) have continued to consider the issue of transport and security and to monitor activities undertaken in international fora, which might have an effect on the activities of the Working Parties.

5.   The Working Party on Inland Water Transport, at its forty-seventh session, considered a summary report prepared by the secretariat on activities undertaken within relevant international organizations on items concerning security in the transport sector (TRANS/SC.3/2003/12) and asked its subsidiary body, the Working Party on the Standardization of Technical and Safety Requirements in Inland Navigation (SC.3/WP.3), to continue its consideration of the possible amendment of the AGN Agreement, the European Code for Inland Waterways (CEVNI), the Recommendations on Technical Requirements for Inland Navigation Vessels (annex to resolution No. 17, revised) and/or any other UNECE instrument concerning inland navigation with provisions aimed at enhancing security on board vessels when under way and in ports with due regard to the activities undertaken in other international organizations.

d) <u>**Border Crossing Facilitation**</u>

6.   The Working Party on Customs Questions affecting Transport (WP.30) will, at its sessions in 2004, evaluate the feasibility concerning the development of a new annex to the "Harmonization" Convention concerning security controls in cross border transports.

7.   Furthermore, in relation to the TIR Convention, the Working Party and the TIR Administrative Committee have, in February 2004, agreed on a step-by-step approach for the computerization of the TIR procedure with a view to ensuring the sustainability of the procedure further. In this context, it is also envisaged that, through the use of modern and secure IT-technology, the TIR procedure will, in the future, be able to facilitate the transmission of advanced cargo information and additional data related to security controls which are not already in the TIR procedure.

8.   The Working Party has also initiated a review of the use of sealing devices in the TIR procedure with a view to further enhancing the security and integrity of loading units approved for TIR transports. This process is being carried out in parallel to a process in the World Customs Organization reviewing sealing procedures prescribed in the Kyoto Convention and the Customs Convention on Containers.

9.   The Government of the United States of America has proposed to the UNECE secretariat to convene an international expert group meeting to review and analyze existing policies and experiences made in the monitoring and interception of imported scrap metal for radioactive contamination at ports of entry and border crossing points. International trade and transport of radiologically contaminated scrap metal increasingly causes concern among Governments as it may have severe negative consequences for public health, the environment and for security. Therefore, its monitoring and possible control has become an important issue to be tackled at the international level.

10.   With this in mind, the UNECE has organized a meeting to be held in Geneva from 5 to 7 April 2004. The product of the meeting will be a report on the state-of-art of monitoring and managing radiation contaminated incidents, particularly related to scrap metal, suitable for distribution and use by countries and radiation contamination monitoring experts at ports of entry and border crossing points around the world. In preparation of the meeting, the UNECE secretariat has transmitted a questionnaire to all UNECE Governments. The results of the questionnaire will be analyzed by the experts at the proposed meeting and will serve as a basis for the above-mentioned report.

TRANSPORT AND SECURITY DEVELOPMENTS IN THE FRAMEWORK OF OTHER RELEVANT INTERGOVERNMENTAL ORGANIZATIONS

a)   UNECE/World Customs Organization (WCO)

11.   On 13-14 November 2003, the United Nations Economic Commission for Europe (UNECE) and the World Customs Organization (WCO) hosted a meeting on trade security and trade facilitation. The meeting provided the opportunity for all stakeholders to express their views on the various security related initiatives currently under way. Different approaches (legislative, compliance, certification, partnership) were discussed and the need to balance security and facilitation in all of these approaches were emphasized to ensure that economic growth and stability were not undermined in the process.

12.   The meeting concluded that the participants had indicated a desire to intensify their work with UNECE in identifying and consolidating their overall approach to security and facilitation, complementary to the work already under way in other forums such as the WCO Task Force on Security and Facilitation. Further work would benefit from the development of international recommendations, best practice, or standards. The UNECE secretariat, with the assistance of some of the main stakeholders, have following the meeting identified a number of issues to be considered in further detail.

b)   International Maritime Organization (IMO)

13.   Following the adoption by an IMO Diplomatic Conference in 2003, a new comprehensive security regime for international shipping is set to enter into force in July 2004, including a series of measures to strengthen maritime security and prevent and suppress acts of terrorism against shipping.

14.   The measures include a number of amendments to the 1974 Safety of Life at Sea Convention (SOLAS), the most far-reaching of which enshrines the new International Ship and Port Facility Security Code (ISPS Code). The Code contains detailed security-related requirements for Governments, port authorities and shipping companies in a mandatory section (Part A), together with a series of guidelines about how to meet these requirements in a second, non-mandatory section (Part B). The measures also include a series of resolutions designed to add weight to the amendments, encourage the application of the measures to ships and port facilities not covered by the Code and pave the way for future work on the subject.

c)   Organization for Security and Co-operation in Europe (OSCE)

15.   The UNECE and the OSCE have, over a long number of years, developed a very close working relationship, fully supported by the member States at the meetings of their respective governing bodies, the UNECE annual sessions and the OSCE Economic Forum. At the eleventh OSCE Ministerial Council Meeting held in Maastricht on 1-2 December 2003, OSCE

Participating States adopted a New Strategy Document for the Economic and Environmental Dimension.

16. The document, which was elaborated in response to UNECE initiatives and with the assistance of the UNECE, provides an important new input into strengthening security in the economic and environmental dimension. It is aimed at developing cooperation among Participating States, actions and policies to strengthen good governance, ensuring sustainable development and protecting the environment. Concerning the role of the UNECE, the document sets out some clear signs of direction for both organizations to strengthen cooperation between OSCE and UNECE in the implementation of this new agenda. In particular the document identifies three potential areas of cooperation with UNECE directly:

− UNECE is expected to continue to play a primary role in the review of OSCE commitments in the economic and environmental dimension;
− In addition to providing annual assessments for the Economic Forum, the UNECE is invited to report, when appropriate, on the results of its monitoring;
− Finally, the office of the Coordinator of Economic and Environmental Activities could cooperate with the UNECE and other partner organizations on 'developing early warning mechanisms and indicators for the assessment of implementation of commitments

17. In relation to transport, the OSCE document encourages the development of transport networks in the OSCE region which are efficient and integrated, free of avoidable safety and security risks and sensitive to the environment. In this regard, a high priority will be given to the uninterrupted operation of the existing transport corridors and to construction of new ones, where this can be economically justified. Furthermore, the document recognizes that foreign and domestic investment, including investment in transport and communications infrastructure, is a necessary condition for sustainable and environmentally sound economic growth, increased employment, higher living standards and reduced levels of poverty, and hence for stability and security throughout the OSCE region.

d)   **European Council of Ministers of Transport (ECMT)**

18. The ECMT (in its Ministerial Declaration on Combating Terrorism in Transport agreed in 2002) and the OECD Maritime Transport Committee have received mandates to investigate possible ways of verifying the identity and the integrity of containerized cargo as it is carried across modes. In order to co-ordinate efforts in this area, the ECMT and the OECD are working together on a report focusing on the verification of cargoes and container tracking across the entire transport chain. The report will be submitted to the ECMT Committee of Deputies at their meeting of 13-14 April 2004 and then to the ECMT Council of Ministers and to the OECD Maritime Transport Committee in May 2004.

19. The project aims to provide information and guidance for Governments and industry concerning cost-effective security arrangements throughout the transport chain: from the time the container is packed, via loading and unloading on maritime vessels, to the time it is delivered to the consignee. With a coordinated intermodal approach, the project will identify institutional weaknesses and gaps, and investigate efficient and effective ways to improve security while ensuring the smooth flow of goods nationally and internationally. The project, in particular, focuses on three specific areas: identification of cargo, control of cargo and avoiding interference with cargo.

e)   European Commission (EC)

20.   In the framework of the European Community (EC), improvements in the security of air and maritime transport have already been made, although more needs to be done. It is important to ensure security across all transport modes and to avoid distortions of competition between the modes. Therefore, the Commission is considering the most appropriate way to improve transport security. With this in mind, the Commission's General Directorate for Transport and Energy (DG TREN) has developed a consultation paper on "Freight Transport Security".

21.   The paper proposes measures both against terrorism and common crime. The direct costs of breaches in transport security, particularly theft, cost the European economy several billions of euros each year. In order to protect the whole transport chain, it is necessary to ensure that all transport service providers operate to agreed standards. To avoid distortions of competition, to guarantee the integrity of the Union's external frontier and to ensure the functioning of the single market, security standards must apply across all modes of transport: waterborne, road, rail and aviation. Of course, measures may vary according to the specific risk that each transport operation, equipment or infrastructure is exposed to. The final purpose of these security measures is to protect the European transport system (vehicles, infrastructure, employees, passengers and cargo) from intentional unlawful acts. In order to enhance security throughout the whole transport chain, the Commission's consultation paper proposes:

−   securing key transport infrastructure;
−   minimum security standards for transport service providers;
−   ensuring proper functioning of the system.

22.   While these measures primarily address the security of the freight transport system, many of them would also increase the safety and security of passengers. An intermodal approach is also necessary to avoid distortions of competition between the various modes. For similar reasons, an internationally accepted approach must be found. Also, there is a risk of duplication of regional measures, which are sub-optimal for security and may disrupt international trade.

23.   The Commission's Directorate General for Taxation and Customs (DG TAXUD) has prepared a Communication following on from the Council Resolution on the simplification of customs procedures, as well as the earlier Commission Communication on a strategy for the

Customs union and the related Council Resolution. It responds to the Council's request to draw up an action plan for the simplification and rationalization of customs regulations and procedures and the use of efficient working methods such as information technology, risk analysis and advanced auditing systems. It aims also at implementing, in the customs area, the objectives of the e-Europe and the better regulation initiatives. Finally, it takes account of the changing roles of border and inland customs offices after the forthcoming enlargement. In the same context, the Commission has also prepared a Communication on the role of customs with regard to the security at the external border.

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