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A Study on Common Border Crossing Points Management between Schengen Area and Russia/Belarus

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ABBREVIATIONS AND ACRONYMS

A2A	Administration to Administration
AEO	Authorised Economic Operator
AIS	Automatic Identification System
ANPR	Automatic Number Plate Recognition
API	Advanced Passenger Information System
ASMAP	Association of International Road Carriers (of Russia)
ASCPMR	Automated System of Control Procedures Management at Road Checkpoints of Belarus
ASYCUDA	Automated System for Customs Data
B2A	Business to Administration
B2B	Business to Business
BCP	Border Crossing Point
BG	Border Guards
CBM	Coordinated Border Management
CCTV	Closed Circuit Television
CH	Switzerland
CIS	Commonwealth of Independent States
CIM	Uniform Rules Concerning the Contract for International Carriage of Goods by Rail
CLECAT	Comité de Liaison Européen des Commissionnaires et Auxiliaires de Transport du Marché Commun; i. e. European Liaison Committee of Common Market Forwarders
CU	Customs Union (Russian Federation, Belarus and Kazakhstan)
DNA	Deoxyribonucleic Acid; containing the genetic instructions of a living organism
EC	European Commission
ECS	Export Control System
EDI	Electronic Data Interchange
EEA	European Economic Area
EEAS	(EU) European External Action Service
EDIFACT	Electronic Data Interchange For Administration, Commerce and Transport
EES	Entry-Exit-System
ENS	Entry Summary
ENSI	Enhanced Navigation Support Information
EORI	Economic Operators Registration and Identification Number
EPSCA	European Port Community Systems Association
ERA	European Railways Agency
ESPO	European Sea Ports Organization
ERTMS	European Rail Traffic Management System
E-TIR	Electronic TIR
EU	European Union
EUROSUR	European External Border Surveillance System
EXS	Exit summary
GNC	Globally Network Customs
GNSS	Global Navigational Satellite System
GSP	Norwegian Generalised System of Preferences
FCS	Federal Customs Service of Russian Federation
Frontex	Frontières Exterieures – European Agency for the Management of Operational Cooperation at the External Borders of the EU
G2B	Government to Business
GNC	Globally Network Customs
GNSS	Global Navigational Satellite System
GSP	Norwegian Generalised System of Preferences
HS	Harmonized System
HQ	Headquarters
IBM	Integrated Border Management
IRU	International Road Users (Association)
IT	Information Technology

ITMS	Integrated Transport Management System
ICS	Import Control System
ICT	Information Communication Technology
Ifis	International Financing Institutions
ISBM	Concept of the Integrated State Border Management of the Republic of Belarus
ITS	Intelligent Transport Systems and Services for Europe
LRIT	Long Range Identification & Tracking
MS	Member States of the European Union
NCTS	New Computerised Transit System
ND	Northern Dimension
NDPTL	Northern Dimension Partnership for Transport & Logistics
NEDS	National Electronic Declaration System of Belarus
OSCE	Organisation for Security and Cooperation in Europe
PCS	Port Community System
PORTNET	ICT system, where telecommunications and an information system are combined together
PT	Project Team
RTA	Regional Trade Agreement
RTP	Registered Traveller Program
SAD	Single Administrative Document
SIRENE	Supplementary Information Request at the National Entry
SIS	Schengen Information System
SITA	Société Internationale de Télécommunication Aéronautique
SMGS	Agreement on International Goods Transport by Rail
SSN	Safe Sea Net
SW	Single Window
T2L	EU community status document for customs status (T2L declaration)
TAF-TSI	Telemetric Applications for Freight -Technical Standards for Interoperability (Railways)
TAXUD	Taxation and Customs Union Directorate-General (European Commission)
TEN-T	Trans European Transport Network
TIR	Transports Internationaux Routiers
TOR	Terms of Reference
TTF	Trade and Transport Facilitation
UN	United Nations
UNCEFACT	United Nations Centre for Trade Facilitation and Electronic Business
UNECE	United Nations Economic Commission for Europe
VAT	Value Added Tax
VRD	Vehicle Registration Data
VTS	Vessel Traffic Service
WCO	World Customs Organisation
WTO	World Trade Organisation
XML	Extensible Markup Language

EXECUTIVE SUMMARY

Despite substantial investments and development of transport and logistics infrastructure along the major transnational connection, carriers and passengers are still facing long queues and waiting times at the Border Crossing Points between Russia/Belarus and the bordering Schengen countries due to infrastructure related bottlenecks and lack of an integrated approach among border agencies towards Border Crossing Points Management.

The study is based on the Integrated Border Management concept, implying domestic and international cooperation and interaction between agencies with responsibilities in the area of the border management, including development of modern integrated ICT systems.

One-stop-window development

An Integrated approach should lead to one-stop-window arrangements as an optimal way of land Border Crossing Points functioning. Some improvements can be introduced by each country unilaterally (national one-stop-window with appropriate interagency arrangements) and bilaterally with partners from the other side of border (cross-border one-stop-window, including joint procedures or other forms of cross-border cooperation).

The possibilities to develop arrangement conditions of the national one-stop-window at land Border Crossing Points are analysed separately for road and railway.. Furthermore, some arrangements are specific only for passenger or cargo traffic; recommended solutions apply respectively.

Excise goods prices differentials, a potential visa-free agreement between the European Union and Russia, growth of the cross-border traffic of the residents of the border areas (local border traffic) are among factors influencing one-stop-window arrangements.

The one-stop-window principle presumes that in conditions of intensive **passenger traffic at road Border Crossing Points**, activities of border services should be – to the extent possible – simultaneous and parallel. The Project Team analysed in depth current procedures at road Border crossing Points in terms of one-stop-window applicability. Further optimization of border control activities should lead to design and alignment of control booths allowing travellers to remain their cars. Therefore, the booths of customs officers and border guards should be near enough to allow efficient interaction between officers inside or outside the booths.

In order to speed up traffic processing and to optimise the use of resources, there are alternative options for institutional set-up and distribution of control tasks, including the possibility under interagency agreements or memoranda of understanding to exercise the duties of the other agency where appropriate.

Modern technological solutions easing passport control procedures allow moving officers to other duties and tasks. They also create possibilities for new forms of cooperation between border guards and customs officers in terms of delegation and sharing duties and responsibilities.

Appropriate arrangements should allow the control process in the control zone to be carried out without control coupons and excessive stopping at the entry and exit gates.

For cargo traffic control at road Border Crossing Points the implementation of one-stop-window is somewhat different in comparison to passenger traffic, stipulated by the particularities of applied operational procedures and techniques.

At least 3 types of road Border Crossing Point layouts for cargo traffic control used in the Northern Dimension countries can be identified:

- 1) Separate inbound and outbound cargo traffic terminals adjacent to passenger traffic lanes at each direction;
- 2) Control at separate traffic lanes for trucks;
- 3) Full separation of cargo traffic and passenger traffic (terminals, centres).

Each type of arrangements has its own strong and weak points in terms of effectiveness and efficiency of control, as well as cross-border movement facilitation.

The Single office (placing all state control services, operating at the Border Crossing Point in the same hall in close proximity to each other) can be recommended as a transitional measure on the way towards one-stop- Window.

Delegation of passport control and other documentary checks (veterinary, phytosanitary) to customs is a rational way and can be considered as a good practise of one stop-window arrangements at commercial truck terminals.

Introduction of preliminary information in Customs Union on road Border Crossing Points contributes to reduction of the processing time at the border. This should be complemented with further enhancement of the customs risk management systems. Operability of risk management system can be improved as well by broader implementation of the Authorised Economic Operator concept.

Different types of goods require different procedures and time for examination. A continuous corridor covering both sides of the border is needed for streamlined movement of empty trucks and trucks of Authorised Economic Operators. Arrangement of such corridors requires concerted efforts at both sides of the border such as crossing time booking or other identical flow management system.

Especially important **among practises supporting one-stop-window arrangements** is the introduction of a queue management system. Estonians were the first looking for possible solutions. All the Northern Dimension countries are aware of the Estonian E-queue system. The functionality of the system has been closely examined by respective authorities of these countries. Following Estonian practices the subsequent actions are taken towards optimisation of vehicles access to the road Border Crossing Points in other Northern Dimension countries.

Automatic Number Plate Recognition systems (ANPR) were introduced in the EU countries at the road Border Crossing Points. The systems allows improvement of risk analysis, detection of stolen vehicles, revealing of persons and organized groups involved in transport of illegal products and fraudulent goods. Further enhancement of the system is possible.

Elimination of bottlenecks at the physical border line, introduction of Key Performance Indicators integrating measurements of times of proceedings on both sides of the border, adaptation of the Border Crossing Point status to traffic flows, anticorruption actions and coordinated organizational and normative regulatory improvements fostering client-oriented service mentality are also measures supporting an effective one-stop-window implementation.

Cross border one-stop-window imply the joint control of border agencies from neighbouring countries. Joint control is one of the international standards and best practices of harmonisation and simplification of border crossing procedures.

The joint control allows reducing the number of stops incurred in border crossing by combining the control procedures of both countries border agencies at a single common location.

This principle is not a new one and was developed in many regions and countries. The Northern Dimension countries themselves have past experience in creation and development of joint Border Crossing Points' procedures before countries accession to the EU.

Despite documented practices of the Northern Dimension countries in joint border control, currently there are neither international agreements nor jointly operated Border Crossing Points at the Schengen Area countries borders with Russia and Belarus.

Interviewed experts in the EU countries of concerned mentioned the lack of current legislation envisaging joint checks in the context of feasible joint Border Crossing Point development. At the present time legal basis for shared Border Crossing Points are under discussion in relevant EU working groups.

The possibilities for arrangement of one-stop-window at rail Border Crossing Points are influenced by the distance of the frontier railway stations to the border line, in many cases even more than 10 km.

Onboard border checks on a moving passenger train are the best solution in terms of shortening travel time. So far onboard border checks on a moving train are introduced only on the Finnish – Russian border. Possibilities to introduce onboard border checks on moving trains should be considered for each specific Border Crossing Point taking into account trains schedules, type of train, distances between railway stations and other local factors and conditions.

Similar to road Border Crossing Points, there aren't any agreements between EU countries and Russia/Belarus on joint border control at railway Border Crossing Points. Possibilities to introduce joint control on passenger trains should be considered for each specific Border Crossing Points taking into account local conditions on both sides of the border.

At freight trains specificities of handled loads determines the applicable control methods. The workflow of newly built railway Border Crossing Points is designed mainly to prevent people smuggling in wagons and inclusions of illegal goods in the cargo.

Frontier customs posts should cooperate closely with the customs post in inland railway station to ensure efficient control enhancing timely goods delivery.

Cooperation with border agencies on the other side of the border on rail cargo traffic management issues is rather limited. An idea to use one X-ray scanner for operational needs of border agencies on both sides of the border sharing scanned images is worth further consideration and development.

Cooperation between national institutions on Border Crossing Points' development needs further improvement. In all visited ND countries there are strategies and plans on land Border Crossing Points' development in place. These strategic documents are various in formats and approved on governmental, inter-ministerial levels or interagency levels. Midterm Border Crossing Points' development strategies (up to 5 years) with 1-2 years action plans concentrated on procedural innovations along with infrastructure improvement should be considered as the best practise. Strategies and plans should be adjusted to developments in the neighbouring countries at the other side of the external border. However, the presented documents in general were developed unilaterally.

The significant factor for Border Crossing Points' development is the existence of inter-institutional coordination structures: inter-agency (inter-departmental) steering committees and working groups. All the countries visited reported having such tools. A national agency specializing in Border Crossing Points' development with leading role in coordination of national bodies could be considered as a good practise.

Cross-border cooperation is needed not only in daily operations of the border agencies at the border Crossing Points, but also in terms of construction and development to achieve common goals of borders without queues. As a rule, in the Northern Dimension countries working groups for Border Crossing Points' development are used as coordination and cooperation tools. Cooperation on Border Crossing Points' development should be broadened embracing common procedural and operational settings and standards additionally to the constructional and infrastructural issues.

European Neighbourhood and Partnership Cross Border Cooperation instruments contribute to the elimination of disparities and equalizing throughput at the both sides of the border.

The Border Delegates System is a main instrument for cross-border cooperation among border guard agencies. The relevant formalized agreements on customs cooperation could guide and encourage deeper communication and interactions in conditions of complexity of tasks related with cargo traffic flow management and goods processing. Exchanges of good practices on conducting risk analysis, joint border crossing time measurement could be also area of mutual assistance.

The proposed structure (model) of integrated Border Crossing Points' management derives from analysis of current deficiencies and best practices in arrangement of the one-stop-window and

integrated ICT systems in the Northern Dimension area and beyond. In general, the Border Crossing Points management model should aim at the creation of a proper balance between security and facilitation.

A Border Crossing Point master plan should meet the main logistic requirements. Commercial facilities should be in close proximity, but on the outside of Border Crossing Points. Plans for establishment of new Border Crossing Points should consider first of all the possibility of joint control and a single master plan for both counterparts.

Passenger traffic management model at road Border Crossing Points is based on the proper use of traffic lanes, the one-stop-window principle and efficient distribution of responsibilities and interaction between border guards and customs officers.

Freight traffic management model at road Border Crossing Points is based on the proper distribution of customs functions between the Border Crossing Points themselves and inland customs posts, regulated Border Crossing Points' access, minimization of a number of control services processing freight traffic, proper layout of scanners, weighing system and other one-stop-window arrangements. Separation of the Border Crossing Points into 2 distinct terminals for cargo and passenger traffic requires proper regulation of intersecting traffic flows at the entrance points.

Requirements for railway Border Crossing Points' structure (model) are formulated on the basis of provided analysis and are differentiated for checks of passenger and cargo trains. In general, current conditions at the railway Border Crossing Points for passenger and freight traffic control in the Northern Dimension countries are considered as satisfactory both by border agencies and railway administrations.

The recommendations deriving from the Study findings and analyses are grouped according to the possible Northern Dimension Partnership for Transportation and Logistics approaches to their implementation.

Information and Communication Technology development

Model development in stages: The analysis revealed that various initiatives of the EU Member States in general and in the Northern Dimension member states in particular resulted in ICT networks along the entire trade and transport chains. Such initiatives contribute to enhanced trade and transport efficiency and open and secure borders by exploiting economies of scale along cross-border transport corridors.

However, results are not fully achieved yet, and thus further development is needed in order to establish a Model of Information Network that allows harmonised and finally standardised automated data exchange within the region and beyond. The Information Network shall utilise existing suitable networks available or under construction, to be linked to each other and to itself. This can be achieved by:

- utilisation of the *EDIFACT messages for Multimodal Freight*;
- utilisation and further development of service functions for road and rail transport as already started in some countries, e.g. *Smart Corridor* (Finland- Russia) or *Go-Swift* (Estonia-Russia);
- Regional seaports and to some extent regional airports of Northern Dimension Member States are intended to be linked forming a comprehensive regional data network called the *ND Smart Corridor*, to be linked to the EU *Smart Borders* Programme where applicable.

By building this regional network the following obstacles need to be overcome:

- Data networks for multi modal use are not yet available as a standardized solution implemented in the region;
- Northern Dimension Member States so far have reached different levels of achievement in building ICT networks; harmonisation is required;
- Information exchange through automated processes including port community systems linked to the hinterland, and finally cross border, is yet to be initiated and implemented;
- Data exchange cross border into/from Russia and Belarus is hampered. The EU and ND MS need to agree on ways and means of safe and secure cross border data exchange;

- Voluntary agreements are more advantageous than rules and regulations initiated by the EU in order to benefit from the momentum of current development and to save time and cost for future development.

The latter appears rather a political issue than a technical/organisational problem to be resolved.

Based on world wide experience and observations ICT, being implemented in a harmonized way, will have a beneficial impact on regional trade and transport. This impact, however, is expected to develop fully once the ICT services are harmonized and functioning cross border.

EU and international recommended and experienced best practice is to be adhered by forming this Model to gain the intrinsic benefits.

Although not part of the ToR it has been found necessary to briefly discuss some of the various ICT services in existence. It appears as a prerequisite of success in modern Integrated Border Management to linking the relevant services, in particular the so called port community services.

Thus the Model presented here is intended to come to live in stages. In short these are:

- a) Model designed for EU Member States and the Northern Dimension Region
 - 1 ICT Model described based on agreements concluded;
 - 2 ICT Model linked step wise to existing data networks for all modes of transport;
 - 3 ICT Model to be put in operation as a pilot functioning along specified trade and transport corridor(s)

By end of stage a. EU regional port community systems of seaports and selected airports are linked to the ICT Model.

- b) Model designed for Russia, Belarus and western Northern Dimension countries; the approach follows the same sequence as under a) above.

By end of stage b EU, Russian and Belarusian regional port community systems of seaports and selected airports are linked to the ICT Model.

Stage a work could be started on short notice (relevant agreements, technical description; experience is available in some Northern Dimension Member States. Particularly Estonian and Finnish experience could serve as a springboard for region wide harmonized development);

Stage b needs to await successful agreements concluded among the countries concerned. This requires further initiatives of the EU and the Northern Dimension bodies.

Regional separation between Eastern and Western Northern Dimension MS should be avoided where possible.

Services to be provided / The Model shall provide various services; these can be differentiated into the following categories:

- a) IBM relevant services as:
 - (1) Generation and exchange of cargo and transport data; Generation and exchange of travellers' data;
 - (2) Participants to the service are automatically and continuously informed on goods and travellers arriving at a given time at the Border Crossing Points (ETA – expected time of arrival - message).
- b) Value added services as:
 - (1) Traffic and weather information along the specified road transport corridor;
 - (2) Tracking and tracing of vehicles and goods loaded on to them; applicable for both road and rail transport.

Value added services shall be developed further through Public Private Partnerships and finally be charged to the users. This would contribute to the investment and to the Northern Dimension Region wide economic success of the Model.

Combination of categories a. and b. will result in a complex data network functioning in all Northern Dimension Member States. Following the Finnish-Russian initiative described in Chapter 5, this is recommended to be called *Northern Dimension Smart Corridor Net*.

Finally, category a) and b) services should be provided along international transport corridors going beyond the geographical limits of the *Northern Dimension Smart Corridor*.

Next steps / the sequence of the *Next Steps* should be initiated by a conference with all stakeholders where principles of future Integrated Border Management and ICT are presented and agreed upon.

The future process should be guided by two main steps:

a) Harmonizing existing procedures within the Northern Dimension Member States Region.

This requires elaborating an agreement among the Northern Dimension Member States and all stakeholders concerned. This process can be accelerated by exploiting existing bi-national and regional agreements;

b) Establish a harmonized Integrated Border Management ICT network covering all Northern Dimension Member States region-wide

The Northern Dimension Partnership for Transportation and Logistics secretariat, being the main beneficiary in this project, should continue to be pro-active in conjunction with the EC and all stakeholders, and act as the focal management body to initiate and follow-up next steps.

1. INTRODUCTION

1.1 SCOPE AND OBJECTIVES

Despite substantial investments and development of transport and logistics infrastructure along the major transnational connections, carriers and passengers are still facing long queues and waiting times at the Border Crossing Points (hereafter BCP) between Russia/Belarus and the bordering Schengen countries. Removal of non-infrastructure related bottlenecks and an integrated approach towards integrated BCP management is a necessity in this respect.

The overall objective of the Study is to develop a regional model of integrated BCP management between the Schengen area and Russian Federation and Belarus contributing to further dialogue on facilitation of cross-border commercial and travellers' movement.

The specific objectives of the Study are:

- (1) To develop recommendations and practical guidelines for the improvement of border crossing issues at the borders between the Schengen area and Russian Federation and Belorussia through BCP management integration;
- (2) To propose a regionally acceptable model for implementation of Integrated Border Management (IBM) for road and rail BCP in the Northern Dimension (ND) Region.

The Project Team aims at facilitation technical dialogue between border agencies at both side of the border, as well as between trade, transport and border agencies.

The Study, deriving from analysis of current problems and site constraints and developed on the basis of dialogue, exchange of experience and best practises in the ND region and beyond, will be used by specialists of respective border management and transport agencies looking for solutions that result in faster and smother operations at the BCP, as well as by negotiators in Northern Dimension Partnership for Transport & Logistics (NDPTL), EU-Russia working groups and other formats.

1.2 METHODOLOGICAL APPROACH

The research was based on the Integrated Border Management (IBM) concept, implying national and international cooperation between public bodies, national and local authorities with responsibilities in the area of the border policy, in order to achieve the goal of open, but well-controlled and secure borders. The PT explored which IBM elements and improvements can be made by each country unilaterally (national one-stop-window, interagency rearrangements and etc) and bilaterally with partners on the other side of border (joint procedures or other forms of cross-border cooperation). The structure of the Study follows this logic.

The PT selected for the desk research policy documents and available information on best regional and global practices in integrated BCP management. Of particular interest was information about work on border management that had already been done in the past under PHARE and TACIS technical assistance programmes, information on regional and global trends in IBM and trade facilitation. Publicly available recent comprehensive publications on all aspects of trade facilitation and customs, border procedures facilitated this work. Relevant background information about geographical coverage and transportation network in the ND area is presented in Appendix A of the Study, legal and institutional framework – in Appendix B of the Study, relevant international practices – in Appendix D of the Study.

Revised Kyoto Convention for simplification and harmonization of border crossing procedures, World Customs Organization (WCO) standards and recommendations on trade facilitation and coordinated border management, the EU model of the Integrated Border Management and provisions of other relevant conceptual initiatives were assessed in terms of their adaptability to the ND context. Available national BCP development plans and strategies of the Northern Dimension area's countries were also considered.

Besides earlier studies, the recently presented Study Report on Common Border Crossing Points Management between Schengen Area and Russia/Belarus was a starting point for further exploration of opportunities for integrated BCP management. The PT took into consideration conclusions and proposals of this study in frames of consistency, continuity, complementarities and synergies.

On the basis of provided description of existing irregularities, gaps and weaknesses in control procedures and BCP management, the PT elaborated the unified questionnaire for further exploration by the PT of possibilities to transfer these findings and ideas into solutions, analysing options (best practises) feasible and acceptable for partners in the ND region.

In order to ensure efficiency and effectiveness of planned visits, meetings and interviews, receive a diversified feedback, the unified questionnaire was submitted in advance to all the ND countries via established liaison contacts. The PT established working contacts with the NDPTL Secretariat and members of the NDPTL working groups in the ND countries.

The PT met central level representatives of border and transport agencies in Belarus, Estonia, Finland, Latvia, Lithuania and Poland. During the meetings at the central level were discussed questions according to the questionnaire. In addition, the PT received written answers to the questionnaire from Norwegian Customs, Russian Federal Customs Service and the Federal Agency for the Development of the State Border Facilities of the Russian Federation (Rosgranitsa). Answers to the questionnaire are reproduced in Appendix E of the Study.

The meetings with central authorities were complemented with visits to the BCP for practical acquaintance with workflow management. The following BCP were visited in each of these countries: Kamennyi Log road BCP in Belarus, Narva road BCP in Estonia, Nuiamaa road BCP in Finland, Terechovo road BCP and Zilupe railway BCP in Latvia, Medininkai road BCP, Lavorishkes road BCP and Kena railway BCP in Lithuania, Kuznica road BCP and Kuznica railway BCP in Poland. The BCP listing and the map are presented in Appendix A of the Study

It should be noted that the PT did not aim to provide a comparative analysis of the appropriate arrangements in the ND countries and does not cover all border crossing points between Shengen area and Russia/Belarus, but only the most relevant ones in terms of lessons learned, best practices and potential solutions relevant to the study objectives and outputs.

Specifically, the PT looked for locations where preconditions for integration, separate elements or an appropriate level of integrated management have been implemented. Particularly Finnish and Polish administrations have developed concepts of best practice at land borders.

Based on these findings, the PT explored ways and means of recommending suitable concepts for all the ND countries. Where possible, the PT identified harmonized procedures and layouts aiming at uniform standards to be set and implemented.

Opinions expressed by national authorities were considered in conjunction with the feedback received from meetings with the representatives of the NDPTL Secretariat, FRONTEX, DG Home¹, DG Move², TAXUD³ and members of the EU-Russia Working Group on Customs Border Issues.

The PT experts participated in the conference organized by the NDPTL together with the Ministry of Transport of the Russian Federation with the title "Transport and Logistics solutions in the Northern Dimension area from the development perspective of the High North region" in Murmansk, Russian Federation. This provided opportunity to discuss with participants the most pressing problems at the border in the broader context of compatibility and interoperability of the ND regional transport network.

In the course of their research, the PT took attention to the scrutiny of latest developments in respect of their relevance to the scope of work set out in the ToR: 1) introduction in June 2012 of Electronic Data Input (EDI) for pre arrival declaration of imports of goods to Russia; 2) implementation of pilot project "green corridor" at Grzhechotki - Mamonovo 2 road BCP; 3) Poland, Belarus, Russia and Ukraine experience in facilitation of speedy processing of travellers during the Euro 2012 football championship.

¹ DG Home (Home Affairs Directorate-General, European Commission)

² DG Move (Mobility and Transport Directorate-General, European Commission)

³ TAXUD (Taxation and Customs Union Directorate-General, European Commission)

2. ANALYSIS OF THE NATIONAL ONE-STOP-WINDOW AT ROAD BCP

2.1 EXTERNAL FACTORS INFLUENCING THE ONE-STOP-WINDOW ARRANGEMENTS

2.1.1 Excise goods prices differentials

The rising price of gasoline in the Baltic countries (above € 1, 5 per litre) increases the attractiveness of legal and illegal transportation of fuel from Russia and Belarus where it costs half the price. The prices differentials revoke increase of the movement of persons and cars through the BCP and put additional pressure on human resources of border agencies.

The audit of Estonian-Russian BCP also determined that a significant portion of the work burden in Estonian border crossing points is attributed to checking vehicles and buses that cross the border with the sole purpose of bringing cheap motor fuel from Russia. It was estimated that nearly four fifths of cars cross the border in order to buy motor fuel.

In order to curb local motorists rush to buy cheap Russian or Belarusian petrol, Lithuania and Latvia have tightened inspection of all vehicles entering the country, including the level of fuel in the tanks.

When persons enter the territory of Lithuania by car from Belarus and Russia more than five times in a month, they have to pay duty on all excise goods (including fuel in the tanks of the vehicle). A similar mechanism was also introduced in Latvia - individuals are allowed to import duty-free fuel no more than once a week from the countries outside the EU.

However due to different policies on reliefs from customs duty, these measures are not fully effective. Residents of border regions have mastered the circuitous routes, following a "path of least resistance". E.g., Latvians enter the territory of the EU through the Estonian-Russian border. A similar situation is observed in the Lithuanian-Russian-Polish "triangle": Lithuanians go for petrol to Russia and back through Poland.

Necessity to control implementation of these limitations requires additional actions from customs officers at the BCP. At Polish BCP Kuznica truck drivers have to provide written declaration of fuel, cigarettes and alcohol. At visited BCP stands are installed with necessary equipment for measurement and control of fuel tanks in vehicles.

At the visited Latvian Terechovo BCP quite sophisticated IT software is in place, allowing counting frequency of crossings no matter which Latvian BCP was used. However the system requires written declarations from travellers. Customs officers have to put manually data from the person's declaration to the system, including personal data, as the introduced travel frequency related limitations are associated with persons. This expands time of customs checks. As a consequence, queues and waiting time have lengthened considerably.

In accordance with Council Regulation (EC) No 1186/2009 of 16 November 2009 setting up a Community system of reliefs from customs duty, Member States may limit application of the relief to 200 litres per vehicle as regards the fuel contained in the standard tanks of commercial motor vehicles. Therefore, Member States can introduce different limits.

Entering Poland from Russia and Belarus, drivers may have a vehicle in vehicles tanks no more than 600 litres of fuel. Transporters who exceed the set limit must pay additional tax. Polish carriers cope with the restrictive provision returning back to Poland on roundabout way via Lithuania, where the limits are not introduced. E.g., routes from Moscow to Warsaw through Lithuania is only 120-150 km longer, but Polish carriers have the possibility for tax free admission up to 1500 litres of fuel in standard fuel tanks, avoiding 600 litres limitation at Belarus – Poland border.

This creates additional pressure on Belarus – Lithuanian BCP, resulting in extension of queues at the main BCP. E.g., at Lithuanian Salchininkai and Raigardas BCP 37% and 77% of entering empty trucks are with Polish registration numbers. As it was pointed out by some representatives of transport companies in the EU, with the current high prices of fuel in the European Union it is very difficult for entrepreneurs to compete with carriers from the east.

2.1.2 Visa-free agreements

The European Union and Russia have not yet discussed a potential visa-free agreement, but a plan of action to start such a discussion was agreed upon in December 2011. The plan listed reforms and security measures that need to take effect before discussion of a visa-free agreement can begin.

However, future introduction of visa-free regime requires already now preliminary analysis in headquarters of border agencies and preparatory actions that will have impact on border control procedures. Main challenges with visa-free travel are increase of traffic volumes and a potential surge in illegal immigration, human trafficking and smuggling, which would increase the workload for border. In accordance with the Finish experts' estimation, the traffic volume at their border can be 3-4 times bigger.

2.1.3 Local border traffic

The local border traffic or so called "small border traffic" is the cross-border traffic of the residents of the border area aimed at the simplification of border crossing for this group⁴. The European Union rules on local border traffic were established by Regulation (EC) No 1931/2006 of the European Parliament and of the Council of 20 December 2006.

In accordance with this Regulation, for the implementation of the local border traffic regime, Member States are allowed to conclude bilateral agreements with neighbouring third countries in accordance with the rules laid down in the Regulation. The local traffic agreements signed in the ND area in recent years are shown in Table 1.

Table 1 Local border traffic agreements

Local border traffic agreements	Coverage
Agreement between Norway and Russia signed in 2011	Residents of border area of Norway and Russia that lie within 30 km of the Norwegian-Russian border, as well as in the entire territory of Korzunovo municipality (Russia)
Agreement between Poland and Russia signed in 2011	Residents of the whole area of the Kaliningrad region and a corresponding territory on the Polish side, including the main cities
Agreement between Poland and Belarus signed in 2010	Residents of border areas adjacent to the border line (up to 50 km from the border line on both sides)
Agreement between Lithuania and Belarus signed in 2010	
Agreement between Latvia and Belarus signed in 2010	

Russian Border Guard Service predicts growth in the number of travellers on the Russian-Polish border to 20%, associated with the introduction of the local border regime between the Kaliningrad region and the northern provinces of Poland. Some 3 million people - residents of the Kaliningrad region and parts of Poland could potentially benefit from this facilitation of border crossings.

In accordance with Belarusian authorities' estimation, the entry into force of agreements on the facilitation of mutual trips of residents of border areas will increase passenger traffic at the border with Poland up to 40 % (this applies to approximately 800,000 Polish citizens, as well as a similar number of inhabitants of the Belarusian side), with Latvia to 30% and with Lithuania up to 70%.

2.2 PASSENGER TRAFFIC ONE-STOP-WINDOW

2.2.1 Passenger traffic flow management methods

Traffic flow management at the BCP, including entry and exit from the BCP area, should be improved replacing old control and management methods with new organisational and technical measures. Old traffic flow management system is based on border guards at the entry/exit gates of the BCP ("sentry

⁴ Residents of border area are permitted to enter and stay in the border area of the neighbouring country without a visa.

at the barrier”) and control coupons (known as well as runner notepapers, border control checklists, Laufzettel, routing slips etc.).

The officer at the entry gates allows entering of a proper number of vehicles that are processed in the control area avoiding congestion. Regulation is based on radio/phone communication with officers in the control area and visual observation of the BCP area and access road.

The officer at the exit gates ensures that the vehicle, driver and passengers passed all the necessary controls without circumventing some procedures. It can be done in two ways:

- (1) The officer at the exit gates rechecks the passports and other documents to be sure that all the stamps are in place. In order to be effective duplication of some actions already done by officers in the control zone is inevitable;
- (2) Use of control coupons. For this purpose the border guard at the entry gates checks driver and vehicle documents and issues a control coupon. In the control coupon he files in at least the following data: vehicle registration number, driver’s surname and number of passengers. This coupon has fields for stamps and signatures of the control authorities. The coupon needs to be stamped and signed by controlling officers during checks in the control area. At the exit gates, the border guard verifies whether all the required controls have been completed and all stamps and signatures in the control coupon are in place. He collects control coupons and records the departure time.

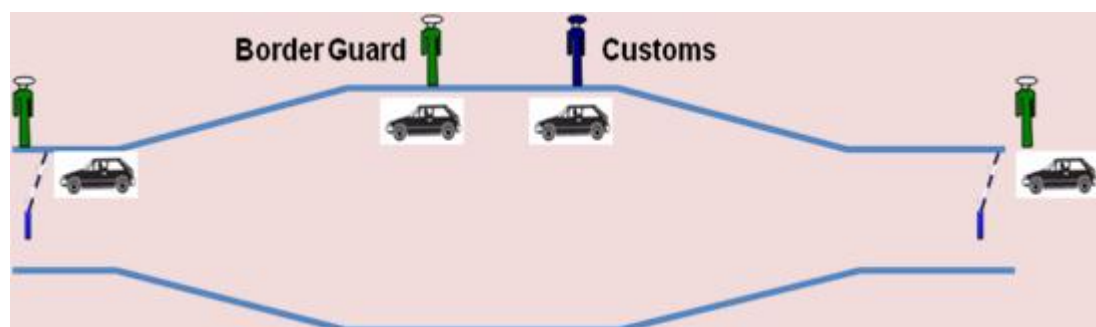
Insufficiencies of this BCP traffic flow management methods are as follows:

- (1) Until professionalization of border guards services, these tasks were executed by conscripts. After professionalization, it appears not very efficient to use qualified officers to these uncomplicated tasks. There is a need to have at least 2 officers in each shift deployed at the entry-exit gates. It means up to 8-10 officers of the border guard unit are employed exceptionally for entry-exit control;
- (2) The vehicle has to stop at least 4 times (at the entry gates, in the control zone for border guard control, in the control zone for customs control and at the exit gates) that is contradictory to one stop principle (Figure 1);
- (3) In case of intensive traffic flow the system leads to the worst scenario - so called batching (vehicles enter the BCP in batches, e.g., up to 10 vehicles). Batches system creates additional delays for traffic flow. This is especially associated to the BCP with long distances between entry-exit gates and control zone, long distances between entry-exit gates and the border line in conjunction with lack of modern means of communication among officers at the BCP and with officers deployed at the other side of the border, and adherence to old practises and understanding of security standards.

Practices in many ND countries shows that for passenger car traffic stopping at the entry-exit gates and coupons can be easily removed as excessive measures, without significant reconstructions.

All services should be located, deployed and interacted in a way preventing possibilities to pass through the control zone without control.

Figure 1 Four stops at the BCP



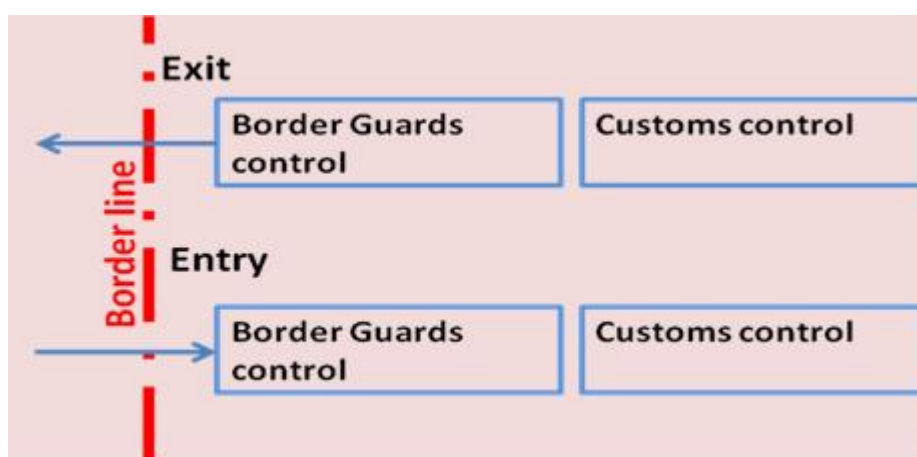
Appropriate arrangements should allow the control process in the control zone to be carried out without control coupons. Passenger vehicles should have a possibility to arrive at the BCP without stopping at the entry/exit gates.

2.2.2 Sequence of border agencies interventions

Traditional sequence of border agencies interventions is shown in figure 2. At the entry to the country first checks are done by border guard, afterwards – by customs. At the direction of exit from the country first checks are done by customs, then by border guard. Underlying legal interpretation of this sequence is that a person entering the country after stamping his passport is obedient to the country's laws. At the exit of the country a stamp in the passport means that he left the country and cannot be obedient to the country's laws any longer.

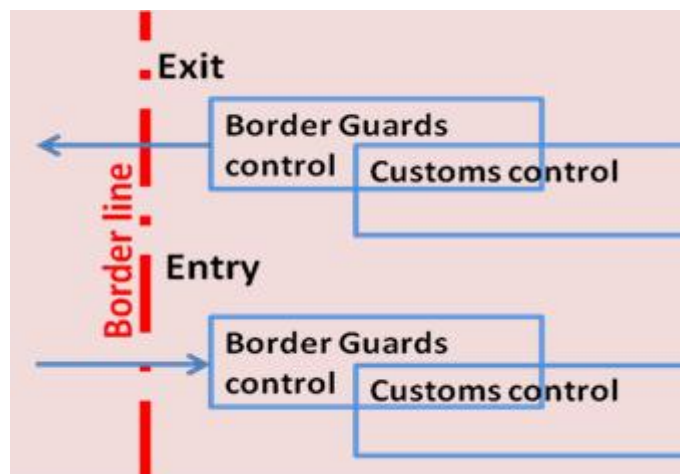
The one stop principle supposes that in conditions of intensive traffic interventions of both services should be done to the extent possible in parallel, simultaneously.

Figure 2 Traditional sequence of interventions



The sequence of control can be modified without a big deviation from the abovementioned legal interpretation of sequences of control in such a way: at the entry to the country border guard starts checks and customs finalizes checks, at the exit - customs starts checks and border guard finalizes checks (Figure 3).

Figure 3 Parallel interventions



2.2.3 Optimization of border guards actions

Four ways of conducting control by the Border Guard officers in the ND countries were noticed by the PT (that can be considered as options):

- (1) Option 1. A car stops in the control zone near the control booth. Driver and passengers get out of the car; approach the booth and one after the other present the documents through the window to the officer in the booth.

Benefits	Deficiencies
Easier establishing travellers' identity, possibility to ask questions, use technical devices for documents check;	Less convenient for travellers;
Automatic facial recognition and finger print checks can be applicable	More time consuming;
	Necessity to ensure that nobody avoids control

- (2) Option 2. A car stops in the control zone near the passenger hall. Driver and passengers get out of the car; enter the passenger hall and present the documents through the window to the officers in the check cabins.

Benefits	Deficiencies
Easier establishing travellers' identity, possibility to ask questions, use technical devices for documents check;	Less convenient for travellers;
Automatic facial recognition and finger print checks can be applicable;	More time consuming;
More comfortable conditions for travellers in cold winter time	It is more complicated to ensure that nobody avoids control (in comparison with the first option).

- (3) Option 3. A car stops in the control zone near the booth. Driver and passengers remain in the car; the officer outside the booth takes the travel documents establishes travellers' identity on the basis of their travel documents, and, if necessary, handovers the documents to the officer inside the booth for verification with databases or thorough scrutiny for signs of falsification or counterfeiting.

Benefits	Deficiencies
More convenient for travellers;	It is more complicated establishing travellers' identity, possibility to ask questions, use technical devices for documents check;
Less time consuming;	Automatic facial recognition and finger print checks cannot be applicable without having portable devices;
It is easier to control that nobody avoids control as travellers are not moving in the control zone.	Two officers are needed: one outside the booth, another inside.
For traffic lanes designated for EU countries citizens is especially recommendable as they undergo a minimum check and there is no need to handover the documents to the officer inside the booth.	

- (4) Option 4. A car stops in the control zone near the booth. The booth is built to the height of the vehicle's window to allow driver and passengers to remain in the car. The driver gives the documents to the officer inside the booth for checks.

Benefits	Deficiencies
<p>More convenient for travellers;</p> <p>Less time consuming;</p> <p>It is easier to control that nobody avoids control as travellers are not moving in the control zone.</p>	<p>Can be more complicated establishing identity of passengers at the back seats of the car, ask them questions;</p> <p>Difficulties in automatic facial recognition and finger print checks.</p>

Taking into account strong and weak points of each option, the PT recommends for future arrangements options 3 and 4 without getting out cars for control as the most convenient for travellers and beneficial for officers in terms of preventing uncontrolled movement of people in control zone.

Option 4 requires appropriate design and alignment of control booths, therefore can be applied for newly constructed or reconstructed traffic lanes. Examples can be found at Medyka BCP at the Polish-Ukrainian border.

Options 3 and 4 are especially recommendable for green channels, where customs intervention is minimal and for traffic lanes designated for EU countries citizens as they undergo a minimum check.

Full introduction by 2014 of collecting fingerprints of visa applicants in the EU Visa Information System (that connects fingerprints to digital pictures and personal information of each applicant for a Schengen visa) will require fingerprint checking for biometric identification of person at the BCP during passport control. In order to continue checks without getting out of cars, portable fingerprint readers with wireless connection to the computer database are needed. So far mainly fingerprint readers with fixed connection to computers are used.

Separate traffic lanes for Schengen visa holders should be considered as well.

2.2.4 One stop implementation practices

In the visited BCP customs booths and border guards booths are in the same traffic lane, but distances are varying from being adjacently with connecting window or doors to more than 10 meters. The distance impedes ability for interaction between border guard and customs officer, secure each other, and hear responses of travellers to questions asked by the colleague. Therefore, the booths of customs officer and border guard should be near enough to allow efficient interaction between officers being inside or outside the booths.

In many cases customs officer's and border guard's work places are not standalone booths that can be relocated, but parts of capital buildings. In order to juxtapose the work places of both services, the building needs to be reconstructed in such cases.

The PT analysed the one stop principle in more detailed way at Polish BCP. In accordance with information provided by Polish experts the one stop is introduced where possible, taking into account current infrastructure and road BCP layout. Full implementation of the system allowing one stop at all traffic lanes will be possible only after the modernization and reconstruction of traffic lanes and control booths.

The one stop principle was successfully implemented at the Medyka BCP at the Polish border with Ukraine. Customs officer and border guard now operate from a joint booth separated by a windowed wall; the window enables when necessary, swift communication and handover of documents.

At the entry (import) direction, travellers entering the country forward documents to the border guard officer, who after passport control provides with them the customs officer. At the time of performing passport control by the border guard officer, the customs officer makes initial vehicle inspection. After accomplishing customs control the customs officer returns documents and allows travellers to enter the territory of the country.

Experience of Polish authorities in implementation of one-stop principle at the border with Belarus and Russia is presented in Table 2.

Table 2 One stop arrangements at Polish BCP

BCP	One stop arrangements
Polowce BCP (under construction, border with Belarus)	Design of the newly build BCP envisages full application of one stop principle
Bezledy, Goldap, Grzechotki Gronowo BCP (border with Russia)	One-stop principle is implemented for buses lanes. However, there were submitted solutions implementing the one-stop principle for cars entering the lanes "nothing to declare".
BCP (border with Russia)	One-stop procedure is carried out in relation to the clearance of buses and cars as far as possible. There have been upgrading all entry control facilities (pavilions) where windows are installed connecting border guards and customs booths and allowing direct handover of the travel documents from border guard to customs officer.
Kuznica BCP, Bobrowniki BCP (border with Belarus)	The one stop concept was tested on 1-19 July 2010 on the direction of import as agreed between the Border Guard and Customs authorities. However, due to the conditions of the infrastructure, further testing was waived and on 19 July 2010 the authorities returned to the earlier control model. At the beginning of the 2013 One- stop solution is implemented in these BCP for buses only.
Terespol BCP (border with Belarus)	One-stop for both buses and cars is implemented on the lanes for diplomats and citizens of EU/EEA/CH countries ⁵

As follows from Kuznica and Bobrowniki BCP experience, testing was held without changing their infrastructure. The introduction of the "one-stop" basically required transferring of the positions of the Border Guards to Customs pavilions (Photo 1). In view of the inadequacy of the control pavilions to forward documents in them, the officers had to move outside for mutual transmission of documents that prolonged the time of control. In order to efficiently use the new control model two customs officers were needed to be assigned on each of traffic lane that required more staff.

⁵ EEA (the European Economic Area) comprises the countries of the European Union (EU), plus Iceland, Liechtenstein and Norway CH - Switzerland

Photo 1 The distance between border guard and customs kiosks impedes implementation of one stop principle



Nearly three-week test period indicated positive aspects of new organizational solutions: 1) easier to prevent possibilities to move through the control zone without control 2) increase mutual security of officers 3) limiting the possibilities for corruption and conflicts in relations between the officers and travellers.

The border authorities in the other EU countries of the ND area are facing the similar challenges in introduction of one-stop.

In Russia, the control model "one-stop" is mainly applied for control of buses. E.g., in order to increase the capacity of Russian BCP at the border with Poland and Lithuania, appropriate changes have been introduced to the technologic schemes⁶, allowing:

- (1) Conduct all kinds of control without departing passengers from buses serving regular and organized groups of travelers;
- (2) One stop and a single joint inspection of buses by border guards and customs officers.

2.2.5 Distribution of control tasks

Passenger traffic control covers:

- (1) Legality of persons' movement across border (passport control);
- (2) Legality of goods import and export (Inspection of goods and cargo);
- (3) Legality of vehicles movement across border (control of vehicle related documents: registration certificate, liability insurance, driving licence, validity of technical examination).

For the first and the second tasks border guard and customs are responsible accordingly. The division of responsibilities in relation to the control of legality of vehicles movement varies in the ND countries. In EU countries mainly border guards are dealing with these checks, as the main focus is on prevention of thefts of cars and illegal transportation of stolen cars abroad. Border guards' authorities are under ministries of interior and have closer links for cooperation with police. However there aren't any uniformly applicable procedures and requirements among the EU countries regarding cars checks at the borders. It is a prerogative of EU countries national laws how and to what extent check vehicle identification details, including searches in data bases⁷.

In the Customs Union (CU) countries border checks have to prevent attempts to import cars without paying duty, therefore customs is more actively involved in control of legality of cars movement across border.

⁶ Technologic schemes are documents used in Russia and Belarus for description of standard operational procedures at the specific BCP.

⁷ Searches can be conducted systematically, occasionally or on the basis of risk analysis.

It was noticeable in the visited BCP that examination of the legality of the crossing of the border by a vehicle takes more time than passport control (examination of the legality of the crossing of the border by a person). In order to run searches in the Schengen Information System, national vehicle registration and other databases, it is necessary to enter vehicle data. Vehicle registration documents are not standardized and uniform as person identification documents, therefore mostly are not readable with automatic readers. The countries mostly adjust automatic readers only to national vehicle registration certificates (and sometimes only to the latest versions of the document). Therefore, when a vehicle cross this border for the first time, the officer has to type the Vehicle Identification Number (VIN - includes 17 characters) and other required registration data manually.

Unification and standardization of vehicle registration certificates, at least among EU countries, could speed up and improve effectiveness of border crossing procedures at the road BCP.

Moreover, the same vehicle data are used by border guards and customs. In order to save officers' and drivers' time, all the information should be captured once and accessible to both border agencies for transferring into their systems. It also prevents errors from repeated typing of the same data.

Traditionally, especially in Eastern countries, border guard check physically vehicles whether there are any hidden persons inside it and to prevent illegal trafficking of weapons, ammunition and explosives, drugs, psychotropic materials and precursors. A Customs officer examines vehicles in order to prevent smuggling of goods, including illegal trafficking of drugs, psychotropic materials and precursors. Sometimes the same compartments and cavities of the car are examined twice, that doesn't correspond to the one-stop principle. The one stop principle supposes that the vehicle is inspected one time no matter by officer of which agency. Actions of customs and border guard officers are better coordinated when are executed at the same place.

2.2.6 Interoperability of border agencies

In all the visited ND countries competencies and responsibilities of border agencies are separated and clearly defined in laws and secondary legislation leaving not so much room for sharing or delegation of duties. Many officers asked for any possibilities for broader integration of control procedures, first of all refer to current regulations that do not allow any variations. However, in order to speed up traffic processing and to optimise the use of resources, there is a need to look for alternative institutional set-up options, including possibility under interagency agreements or memorandums of understanding to exercise the duties of the other agency where it is appropriate. The experiences of Finland and Estonia can be considered in this respect.

Effective and efficient use of manpower is especially important as traffic volumes are growing while personnel resources are not (they even decline according to interviews with border officials in some countries).

All the managers of customs posts at the BCP visited by the PT indicated not sufficient number of staff in terms of increasing volumes of traffic. Taking into account 12 or 8 hours length of shifts and labour laws requirement to limit work to 40 - 48 hours a week, in order to insure 24/7 not interrupted functioning of a single workplace, there is a need for up to 4-5 officers. Therefore, economical use of manpower is an imperative.

2.2.7 Delegation of responsibilities to border guard officers

The International Civil Aviation Organization (ICAO) developed standards for Machine Readable Travel Documents (MRTDs), including passports and visas. These MRTD make it easy for automated systems to scan a travel document. Passports and other travel documents are mainly readable with passport readers. This together with enhanced document security, especially biometric technologies, shortens significantly the passport control time.

Automated border control solutions with self-service systems for verifying the traveller's identity and the authenticity of documents already are used at the big airports in Europe. In future automatic passport control could be used more broadly at the road BCP as well. This initiative was already implemented in Finland at Valimaa BCP. At present the possibility to use the automatic check is given mainly to Finns and other EU citizens with so-called biometric passports. So far only a small part of

travellers have been able to use an automatic passport scanner, as four in five of those crossing the border are nationals of Russia. Therefore there are plans to create possibility for holders of Russian passports to use an automatic border control system at the Vaalimaa BCP.

All these technological solutions ease the flow of border traffic, while at the same time allows moving officials from passport control to other duties and tasks. Furthermore, it creates possibilities for new forms of cooperation between border guards and customs officers in terms of delegation and sharing duties and responsibilities.

Border guards are police officers, while customs officers are civil servants. There are differences in institutional culture, social guarantees, especially in retirement age. However, this seemed not to be a precluding factor for a broader delegation and sharing of responsibilities.

Proper distribution and delegation of responsibilities between customs and border guard officers can save resources and facilitate traffic flow. There could be various solutions for passenger traffic and commercial truck traffic.

Examples from practises of the ND countries prove feasibility of such type delegation of responsibilities:

- (1) In Lithuania at local traffic BCP with Belarus, where people travel without commercial quantities of goods, all checks are carried out only by the border guard officers; the same applies on the Belorussian side; In Finland a pilot project is under consideration on performance by border guards on behalf of customs. the control tasks related to that are: non-commercial movement of pet animals (pet passports, ID chips); VAT refund (stamping invoices); checks of compulsory drivers liability insurance documents;
- (2) In Belarus, in accordance with the joint decision of the both border agencies, since 2011 inspection of passenger cars travelling without declared items on the green channels is conducted by border guards. Such an approach could in principle be recommendable for broader application in the ND countries.

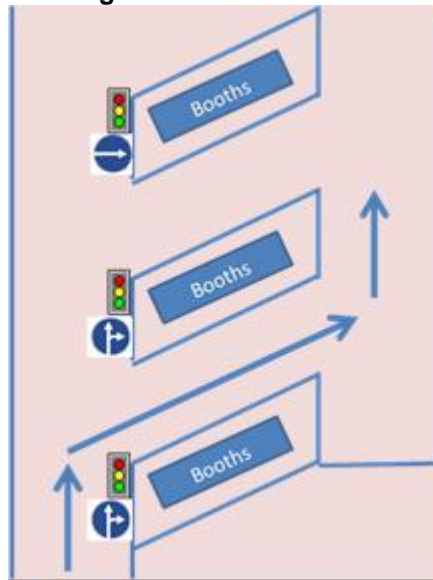
Customs officers from the same units are used for passenger and commercial traffic control. Therefore, delegation of some responsibilities to border guards and optimisation of use human resources at the passenger lanes allows allocating more officers for freight traffic control.

2.2.8 Expansion of traffic lanes in case of territorial constraints

In Polish BCP Medyka at the border with Ukraine an oblique (diagonal) alignment of control booths with adjacent stopping spaces for cars is implemented (Figure 4).

3-4 control booths are located at the one traffic lane. This alignment allows increasing the number of simultaneously checked cars at the traffic lanes (Photos 2-3). In addition, joint positioning of customs and border guard booths allows communication, exchange of information and documents without having to leave the booths.

Figure 4 Scheme of control booths alignment



This solution as a best practice is recommendable for reconstruction of BCP with land restrictions to build new traffic lanes.

Photo 2 Oblique (diagonal) alignment (back view)



Photo 3 Oblique (diagonal) alignment (front view)



2.2.9 Use of green-red channels at the road BCP

A green channel is a traffic lane for cars that are used solely for movement of travellers' personal belongings and goods through the border in such volume which is not subject to the obligatory written declaration and/or taxation. The traffic lane is to be chosen by the person (a driver or a passenger) in compliance with the requirements of the legislation related to the declaration and taxation of transport means, commodities including currency amounts as well. On the basis of results of risk analysis and risk assessment upon the initiative of the customs officer or border guard, the car can be taken out and redirected from the traffic lane "green channel" to the traffic lane "red channel" or to the place of carrying out the deeper examination.

However, during the last years the use of green/red channels at EU land border with Russia/Belarus becomes more complicated due to a number of factors.

In accordance with Schengen Border Code the following traffic lanes can be aligned at the road BCP: 1) EU, EEA, CH – CARS; 2) EU, EEA, CH – LORRIES; 3) EU, EEA, CH - BUSES; 4) ALL PASSPORTS - CARS 5) ALL PASSPORTS LORRIES; 6) ALL PASSPORTS – BUSES. For passenger cars this alignment is combined with green-red channels system.

Therefore for passenger cars can be assigned 4 lanes:

- (1) Green channel (nothing to declare) - EU, EEA, CH – CARS;
- (2) Green channel (nothing to declare) - ALL PASSPORTS - CARS;
- (3) Red channel (goods to declare) - EU, EEA, CH – CARS;
- (4) Red channel (goods to declare) - ALL PASSPORTS – CARS.

In Russia and Belarus similarly separate lanes for citizen of the CU countries (Russia, Belarus and Kazakhstan) and citizen of third countries are introduced. Due to mandatory written declaration of cars by citizens of third countries, 3 lanes can be assigned for passenger traffic:

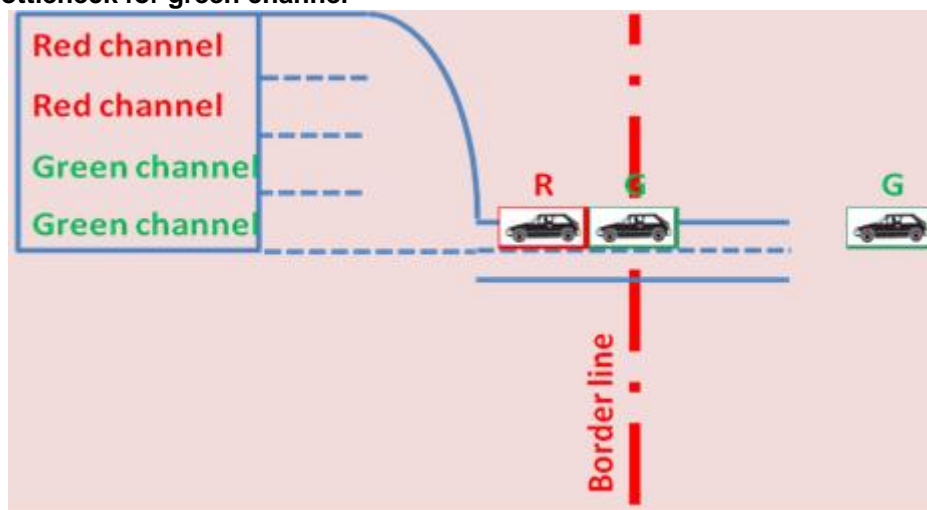
- (1) Green channel (nothing to declare) – CU countries;
- (2) Red channel (goods to declare) - CU countries;
- (3) Red channel (goods to declare) - third countries.

For this reason EU citizen cannot use green channel at the Russian/Belarusian side even if they have no goods to declare. And use of green channel only on one side of the border doesn't speed up border crossing substantially.

In addition, in case of intensive traffic the green-red channels system becomes not efficient due to narrow stretch of the road connecting BCP facilities at both sides of the border that creates a bottleneck (Figure 5). Cars after moving on different lanes through one national BCP are mixed again

at this stretch of the road and sometimes are blocked to some extent as their right for faster movement through the green channel cannot be used due to the cars before them.

Figure 5 Bottleneck for green channel



This type of impediments is typical even for modern newly built road BCP, such as Mamonowo II – Grzechotki BCP at the Russian-Polish border⁸. In order to exclude the abovementioned deficiencies of unilateral green-red channel systems, the Russian and Polish authorities agreed on launching a pilot project on continuous green corridor, covering both national parts of Mamonowo II –Grzechotki BCP (see Box 1).

Green corridor is the continuous lane "nothing to declare" from the entry of the BCP at one side of the border to the exit of BCP at the other side of the border as opposed to green channel that means a lane "nothing to declare" only at one side of the border. Green corridor requires coordinated arrangements at the both sides of the border.

⁸ Opened in 2010, newly built with EU contribution BCP Mamonowo II has the capacity of catering a 4000 vehicle traffic flow (2600 passenger cars, 150 buses and 1250 trucks) per day.

Box 1 Mamonowo II - Grzechotki green corridor pilot project

Green corridor working arrangements are in operation since 1 May. The idea is based on the traffic organization in which the traveller who carries goods in the personal luggage in amounts not exceeding permitted limits, takes the lane "nothing to declare" as early as at the time of entry into the border crossing on the Russian side and follows this lane until the end customs control on the Polish side. Travellers cannot change lanes moving through the Mamonowo II BCP at the Russian side, at the road section between Mamonowo II – border line – Grzechotki BCP and moving through Grzechotki BCP at the Polish side.

The lanes are identified with appropriate information boards installed directly above on the roof of a protective shelter, next to the passenger check places and with additional horizontal markings on the lanes. The entire length of the green corridor is marked and separated with mobile separators that are deployed starting from the Russian side until the Polish side (Photos 4-5). The same separation of green corridor is done at the direction from Poland to Russia.

Photo 4 & Photo 5 Mobile separators for continuous green corridor



At the entrance to the BCP at each side are information boards for travellers including applicable import standards in the neighbouring country. In addition, leaflets prepared for travellers who want to take advantage of the green corridor. They contain basic information about the rules to move the green corridor, the standard volume and value of goods imported into the EU and the Customs Union (Russia, Belarus, and Kazakhstan) and the website addresses of the customs services of the two countries.

These advantages of "green corridor" were used to handle the increased traffic of fans during the European Championship EURO 2012. The facilitation has been used to handle the increased flow of travellers in the local border traffic. Further consideration will be given to the opportunity to implement the project also in the other border crossing points on the Russian-Polish border.

2.2.10 Exclusion of other factors causing passenger traffic delays

Other factors causing delays are immigration cards that have to be filled in by foreigners entering Russia and Belarus. Blanks are not always available for travellers to fill in them before approaching the road BCP. Automatic printing of immigration forms should be introduced at all road BCP, as it is practiced at airports. Such documents as immigration cards are not used in the EU countries. EU countries experts can share experience how to replace these documents with appropriate access and use of electronic databases.

Other factors are related with use of green/red channels entering and leaving the CU borders. All cars that are not permanently registered in CU countries should be declared using handwritten passenger customs declarations in accordance with rules of temporary admission of foreign vehicles. Therefore drivers from the EU countries have always to use red channel, despite do not having any other items for declaration, and manually fill in declarations that afterwards are processed by customs officers typing data from the declarations.

Introduction from 1 January 2013 in Russia of the new rules on declaration is facilitation in this respect. The essence of the innovation is that, when leaving territory of the CU, a driver, instead of filling a new passenger declaration about re-export, can present a passenger customs declaration with data about the vehicle, which he completed on the entry into the territory of the CU.

In order to make more convenient trips of EU countries citizens in their own cars to Russia and other countries of the CU, further simplification of customs declaration for travellers who have nothing to declare, except temporary admission of the vehicles, could be considered by the CU customs authorities.

2.3 TRUCK TRAFFIC ONE-STOP-WINDOW

Implementation of one-stop-window for car cargo traffic control is somewhat different in comparison with passenger traffic, stipulated by particularities of applied operational procedures and techniques.

The sequence of cargo trucks clearance usually includes the following types of control: 1) passport control (border guards); 2) preliminary customs control; 3) performance of other types of control such as veterinary, phyto-sanitary control; 4) completion of customs control.

At least 3 types of road BCP layouts for cargo traffic control used in the ND countries can be identified:

- (1) Separate inbound and outbound cargo traffic terminals adjacent to passenger traffic lanes at each direction;
- (2) Control at separate traffic lanes for trucks;
- (3) Full separation of cargo traffic and passenger traffic (terminals, centres).

Each type of arrangements has its own strong and weak points in terms of effectiveness and efficiency of control, as well as cross-border movement facilitation.

2.3.1 Option 1, separate inbound and outbound cargo traffic terminals

The master plan in this case includes passenger traffic lanes at each direction in central part of the BCP area and adjacent inbound (import) and outbound (export) cargo traffic terminals (Photo 6).

Such BCP layout is common in Poland (e.g., Kuznica BCP at the border with Belarus, Grzechotki BCP at the border with Russia).

As an example below the workflow in inbound (import) terminal at the Kuznica BCP at the border with Belarus, is described.

Polish customs have to a very large extent computerized system for the control of truck movement at the area of cargo terminals. Every truck entering a terminal receives an electronic card, which is machine-readable at all steps of the clearance process, including checks done by other agencies. The card is used as a control slip; at the exit gates the driver gives back the card to the customs officer.

Photo 6 Inbound and outbound cargo traffic terminals



Green continuous lines – outbound passenger traffic; red continuous lines – inbound

passenger traffic; green dashed lines and green arrow – export cargo terminal; red dashed lines and red arrow – import cargo terminal

After passing passport (border guard) control a truck enters the terminal through the initial control post (Figure 6). The tasks of the customs officer at the initial control position are:

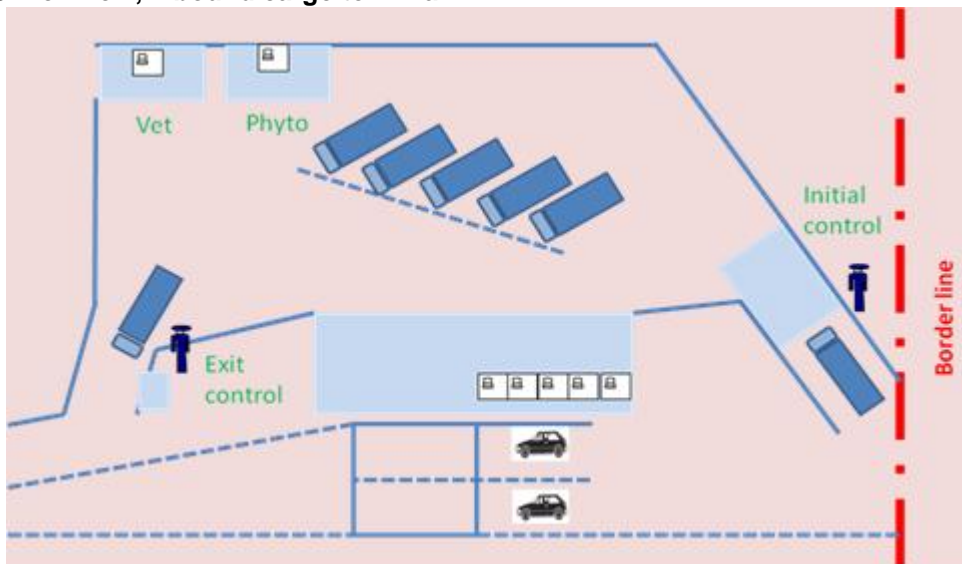
- (1) Managing of traffic lights and barrier;
- (2) Entry of truck and driver data into the electronic truck movement control system;
- (3) Weighing of freight vehicles; checking seals; preliminary risk analysis;
- (4) Issuing an electronic card for a driver, assigning a parking bay in the control zone.

On the basis of preliminary risk analysis, the majority of trucks are directed to the X-ray scanning facilities. After scanning, the truck is parked at the assigned parking bay in the control zone. The driver comes to the administrative building (clearance hall).

In the clearance hall there is an appropriate number of working places (workstations) arranged that are equipped with computer hardware, software, network communications and other equipment needed to conduct customs clearance procedures, receive, process and send electronically the necessary information.

Customs officers here perform customs clearance procedures, including registration and verification of the identity of customs declarations in written and electronic form, risk analysis and assignment of appropriate level of checks for the consignment, assessment of the declared customs value, calculation of customs duties, taxes, fees and other charges, guarantees.

Figure 6 Workflow, inbound cargo terminal



If the transported items are subject to veterinary or other type of control, the customs officer directs the driver to the premises of the respective services. After these checks the driver comes back to the customs officer for finalization of the clearance.

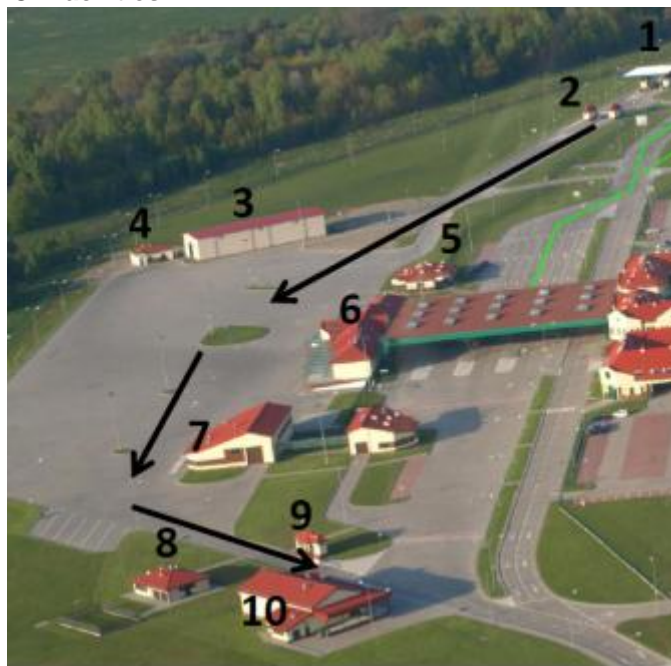
After all the necessary formalities are done, the truck leaves the terminal through the exit control post.

The tasks of the customs officer at the exit control post are:

- (1) Taking back the electronic card from the driver;
- (2) Identification of the exiting truck on the basis of comparison with the data in the truck movement control system;
- (3) Visual inspection of vehicles leaving the terminal and check of seals;
- (4) Permission for driver to leave the terminal.

Similar facilities are designed at the newly built modern BCP Grzechotki, border with Russia (Photo 7).

Photo 7 Grzechotki BCP facilities



1- Passport control (Border guard); 2 – Dynamic scales (Customs); 3- RTG4 scanner; 4 - Scanner's service building; 5 – Toilets; 6 - Freight terminal building with the ramp and magazines; 7 - Building for detailed trucks examination; 8 - Dogs handlers facilities; 9 - Exit control post; 10 - Warehouses and cold storage

Among advantages of this type of layout are the following:

- (1) Division of passenger and cargo traffic;
- (2) The Electronic Traffic Control System is used for monitoring and control of vehicles movement at the area of the cargo terminal. The system prevents any possibility of leaving the area of the BCP by truck before accomplishing all control operations;
- (3) Comfortable working conditions for customs staff in the clearance hall and for drivers to be present there;
- (4) Big area of parking lot for trucks under clearance. In case of growing traffic flow volumes it is easy to increase the BCP throughput arranging additional workplaces in the clearance hall without outside constructional extension of the parking lot.

And the following weak points in one-stop-window implementation can be also mentioned:

- (1) The truck needs to stop at the BCP area at least 4 times: border guard post, initial customs control, parking lot, and exit control post;
- (2) Limited possibilities for interaction and mutual support between customs officer and border guard, as border guard's booth is located separately at the entrance (or exit) of the BCP;
- (3) There are passenger traffic lanes in between inbound and outbound cargo terminals. This impedes the use of the same equipment and infrastructure for both terminals needs. E.g., X-ray and detailed examination facilities are usually installed in the inbound terminal, but sometimes can be a need to use them for checks of exiting trucks control;
- (4) A large area of the terminal presume a possibility to place much more trucks than can be processed at once, e.g., in Kuznica inbound terminal there are 76 parking spaces for vehicles in the parking lot and up to 12 customs working stations in the clearance hall. It is up to the driver when to leave the area of the terminal, and some of them use it as a secure and free of charge parking place for rest. As demonstrated by the results of the time analysis study conducted in 2011 at Polish-Belarus border, a large group of vehicles without clear justification

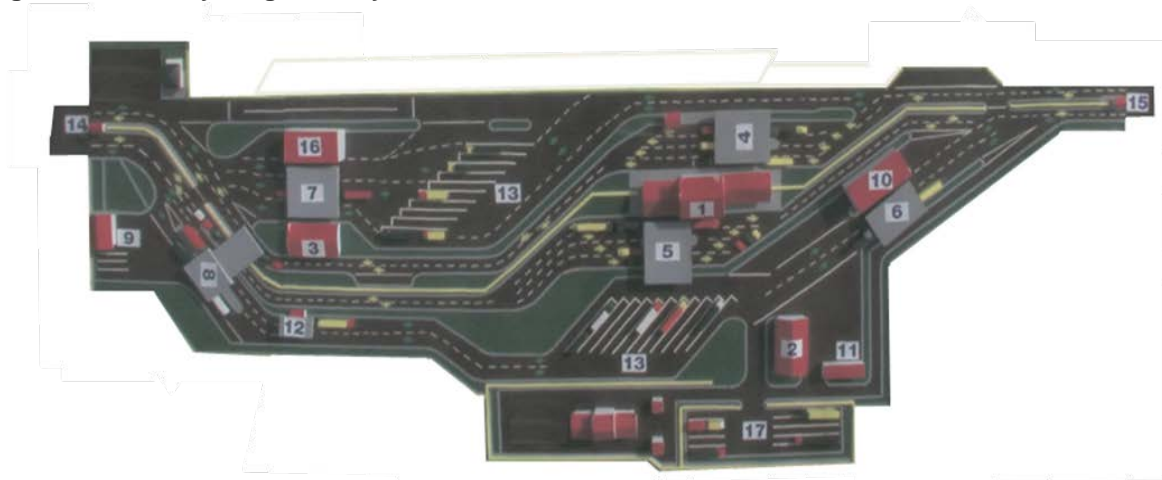
stayed at the border for more than 10 hours to settle personal matters and obligatory pause resulting from the provisions on working/rest time of drivers. Such vehicles block the parking space for vehicles waiting in queue for checks;

- (5) The traffic control system was mainly designed for prevention against possibility of leaving the area of the BCP before accomplishment of all control operations, the needs to speed up and facilitate vehicles movement as well as optimization of staff use were not taken fully into account at that time;
- (6) All steps of the clearance process are recorded in computerized system for control of truck movement at the area of cargo terminal. However, recorded information is difficult to use for time release statistics and measurements of processing time due to distortions related with discretion of drivers to spend time in the terminal.

The PT visited the Belarusian BCP Kamennyi Log at the border Belarusian-Lithuania with the same type of layout (Figure 7). In conditions of current growing cargo traffic, the BCP needs substantial reconstruction and organisational changes in the flowchart.

A truck entering the country has to stop in 14, 8, 12, 13, 6 and 15 positions. The parking lots (13) are overcrowded. Premises of road control, phyto-sanitary, sanitary and veterinary services are dispersed at the area of the BCP.

Figure 7 Kamennyi Log BCP layout



1 - Administrative building; 2 - Building for customs clearance (inbound direction); 3 - Building for customs clearance (outbound direction); 4 – Passenger traffic control zone (outbound direction); 5 - Passenger traffic control zone (inbound direction); 6 – Cargo customs control post (inbound direction); 7 – Cargo customs control post (outbound direction); 8 - Passport control; 9 - Quarantine service facilities; 10 – Facilities for in-depth inspection (inbound direction); 11 - Storage of detained cargo with ramp and canopy (inbound direction); 12 - Weight and truck dimensions control; 13 – Parking lots for trucks - (inbound and outbound directions); 14,15 – entry-exit checkpoints; 16 - facilities for in-depth inspection (outbound direction); 17 - parking for detained trucks

2.3.2 Option 2, control at separate traffic lanes for trucks

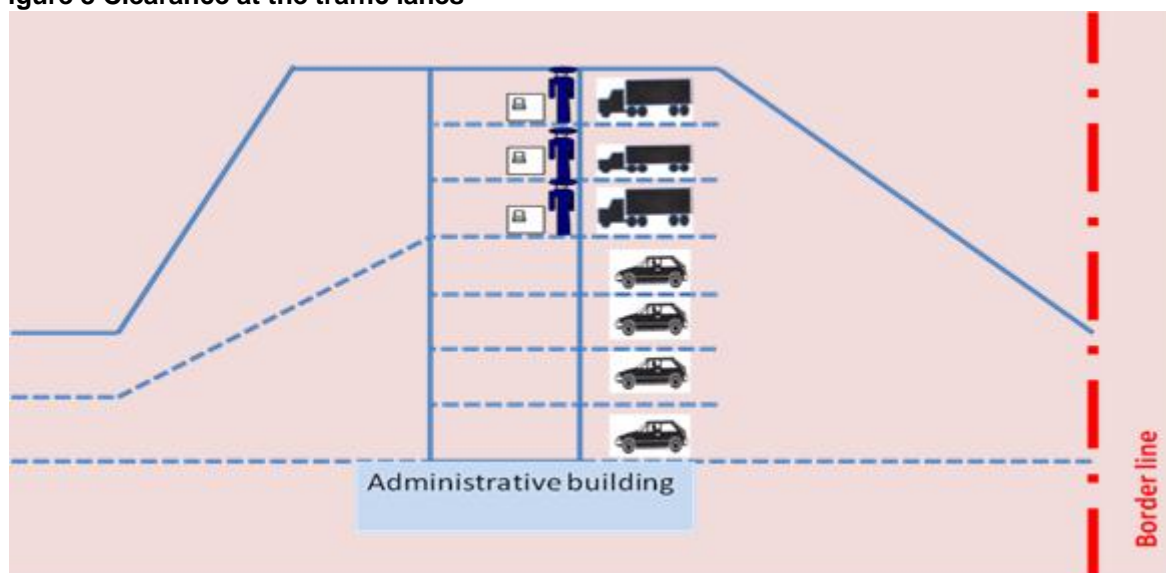
The control zone for passenger and cargo traffic has separate traffic lanes for trucks and for passenger cars (Figure 8). A truck with cargo stops near the customs and border guard booths, clearance is conducted at the traffic lane.

Such BCP layout is common in Lithuania (as examples can be mentioned Medininkai, Lavorishkes), Latvia (Terechovo, Grebnevo) and for smaller size BCP in other countries.

Advantages of this type of layout are the following:

- (1) Admission of trucks to the BCP area can be regulated from the control zone with traffic lights. The truck driver is allowed to drive his truck on the cargo lane until the periphery of control zone marked with sign "STOP". No need for trucks to be stopped at the entry gates and be issued coupons (control slips) from this location because officers in the control zone ensure that the truck cannot leave the control zone skipping some control procedures. After the control is ended the truck is allowed to exit from the control zone and BCP area by the officer who use the electronic barrier situated near the booths;
- (2) One-stop-window is in place, border guard and customs officers work in the same place that allows better cooperation and exchange of information related to drivers and cargoes;

Figure 8 Clearance at the traffic lanes



- (1) Control is relatively time saving, as is done directly at the traffic lane, there is no need for additional parking related manoeuvres for drivers and to entrance to the administrative building or other facilities;
- (2) In case of necessity it is easier to organize separate lanes for empty trucks and trucks with cargoes of AEO. No constructional arrangements are needed, only to assign one additional traffic lane, e.g., for empty cars.

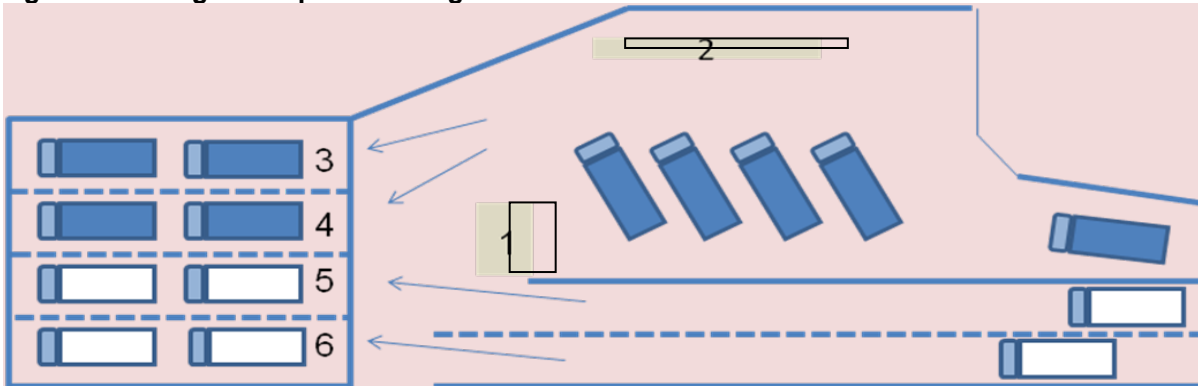
The following weak points are also noticeable:

- (1) If traffic flow volumes become higher than the BCP throughput there is a need to built additional traffic lanes with control booths increasing BCP capacities. This requires more investments in comparison to the expansion of the first described layout with parking areas in the control zone. In some cases expansion can be problematic due to territorial limitations, especially for passenger traffic, as passenger traffic lanes are constrained in between cargo traffic lanes;
- (2) Although border guard and customs officers work in the same place, a border guard officer is to some extent underemployed, as passport control takes considerably less time than customs control. The ways of optimisation could be either handover of passport control to customs officers or delegation to border guards to exercise additional duties such as visual examination of truck exterior, driver cab and unsealed vehicle compartments, checks of seals and, the condition of the sheets and sheet fastenings in the case of vehicles with sheeted load compartments;
- (3) If cargo needs veterinary, phytosanitary or other type of control in addition to customs and border guards, documentary checks related to these type of control should be delegated to customs. Otherwise, the driver has to go to the premises of these services and the truck is occupying the traffic lane without any actions from customs officer side at that time;
- (4) A distance between trucks control zone and administrative building requires additional time for driver to access it, when some formalities are processed in the administrative building; a truck driver on his way to the administrative building has to pass the passenger control zone, that is

distracting for officers at cargo and passenger lanes, complicates control of persons movement in the control zone.

In order to avoid the abovementioned incompatibilities, e.g., at Medininkai BCP (Lithuania, the border with Belarus) the parking lot is designed for pre-checking (Figure 9). A driver after parking the truck comes to the pre-checking booth (1) and registers his arrival. If necessary, the driver goes to the veterinary and phytosanitary terminals that are beyond the parking lot.

Figure 9 Parking lot for pre-checking



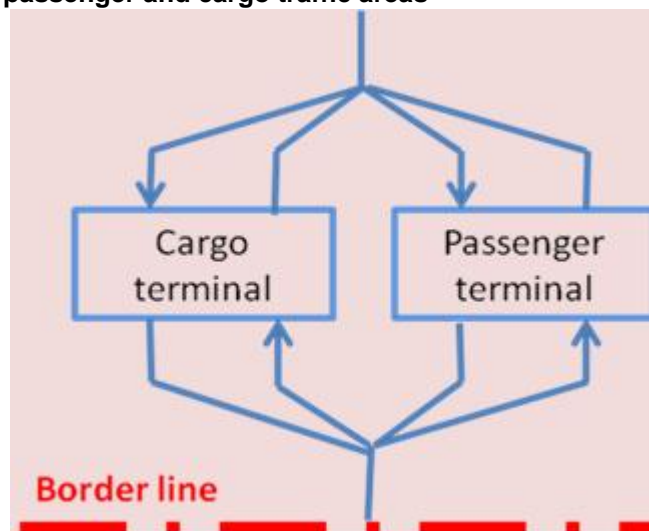
As soon as his vehicle registration number with assigned traffic lane and customs work place numbers appear at the light board in the parking area with audible signal (2), the truck has to move to the control zone. Two customs working place are arranged at each traffic lane and two trucks can be cleared at the same time. In the control zone two traffic lanes (3, 4) are used for loaded trucks and two traffic lanes (5, 6) for empty cars. It means that at the entrance of the BCP loaded trucks turn to the parking lot, empty trucks head directly to the control zone.

Taking into account the abovementioned advantages and weak points, the layout with clearance at the traffic lanes (option 2) is recommendable for not sizeable BCP, especially without movement of goods, subjected to veterinary, phytosanitary or other specialized controls.

2.3.3 Option 3, full separation of cargo traffic and passenger traffic

This type of layout divides the BCP into two parts: passenger traffic area and cargo traffic area (figure 10).

Figure 10 Division of passenger and cargo traffic areas



Such BCP layout is common in Russia and is applied to almost all Russian road BCP in the ND area. There are also examples of such type solutions in Belarus (e.g., Kotlovka BCP at the border with Lithuania).

The cargo terminal is divided into two separate parts with parking lots for inbound traffic and for outbound traffic (Figure 11). The same customs clearance hall building is designated for clearance procedures of inbound and outbound traffic.

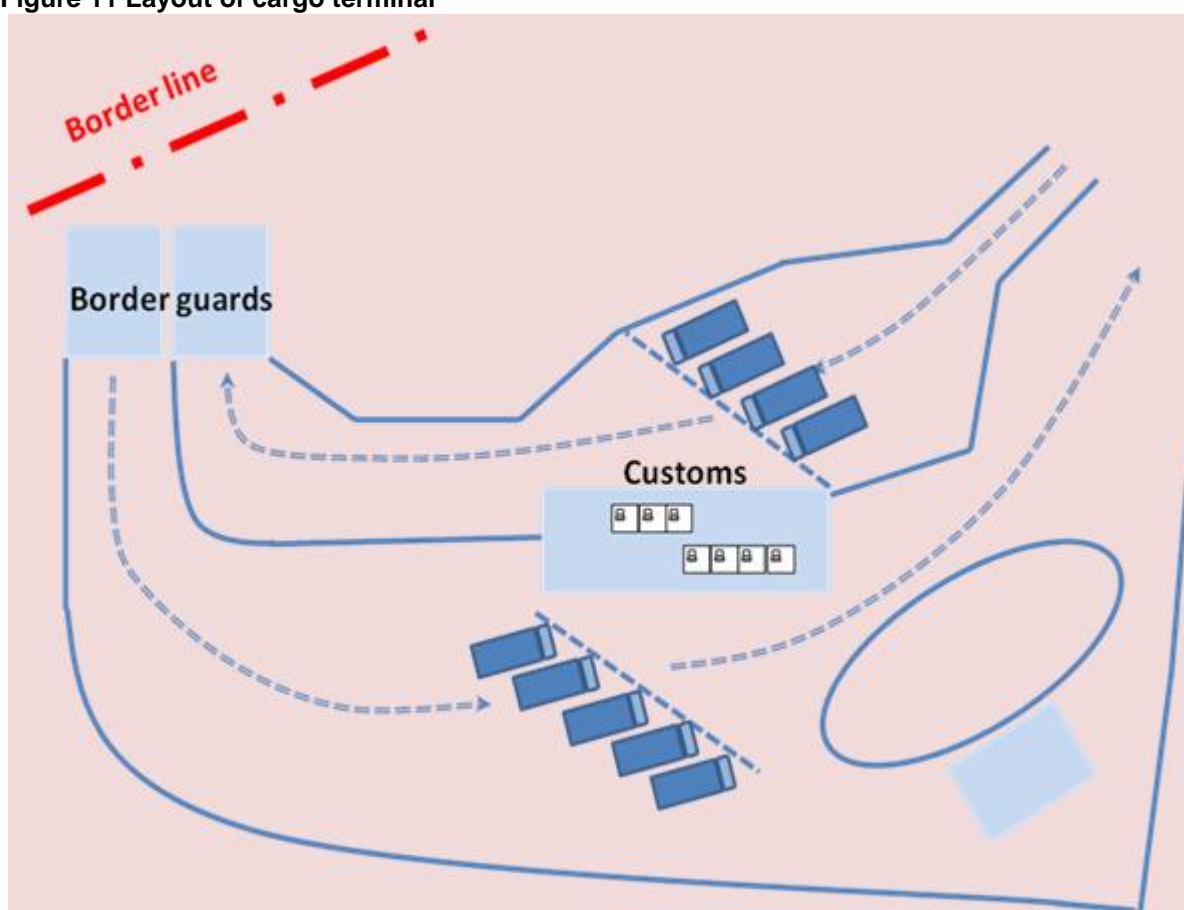
Border guards' facilities are located separately at the entry to the terminal for inbound traffic and the exit from the terminal for trucks leaving country.

This type of layout has the same advantages as abovementioned option 1 (see subchapter 2.3.1).

Among the weak points in one-stop-window implementation can be mentioned:

- (1) The truck needs to stop at the BCP area at least 4 times: border guard post, weighing post, parking lot, and exit control post;

Figure 11 Layout of cargo terminal



- (2) Limited possibilities for interaction and mutual support between customs officer and border guard, as border guard's booth is located separately at the entrance (or exit) of the BCP;
- (3) Difficulties in traffic management at the terminal area, coupons system.

The design aligning the BCP into the separate terminal (centre) for passenger traffic and the commercial goods traffic terminal (centre) is also implemented at Nuijama BCP (Finish side of Finland/Russia border). The design of the commercial goods traffic terminal (centre) together with appropriate organizational and procedural settings proved to be an efficient model without many weak points attributable to the above described layouts.

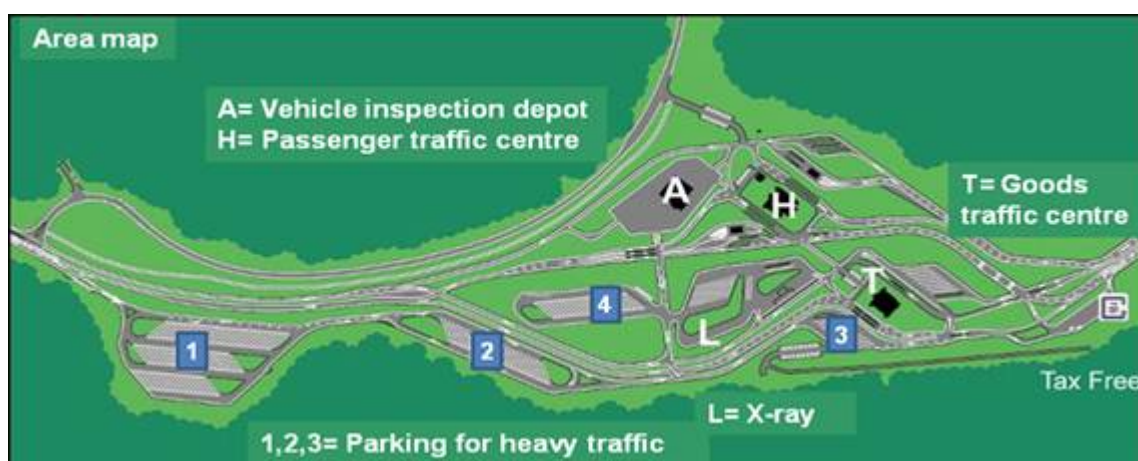
There are no excessive stops for trucks checks. At the outbound direction there are parking lots 1, 2 as a waiting area (Figure 12). In parking lot 3, adjacent to the building of the Goods Traffic Centre (T), are parked only trucks processed by the customs officers at one time.

Proper interaction and communication is ensured between the officers conducting documentary checks in cabins inside the building and officers working outside in the parking lot 3. In addition, situation at the parking lot is visible for officers in cabins due to windowed wall of the building that facilitates interaction. Customs officers conducting customs documentary checks are also responsible for passport control.

The cabins of customs officers processing inbound and outbound trucks are in the same building of the Goods Traffic Centre (T) that, in case of necessity, facilitates interaction and allows fast redeployment of officers from one direction to another.

The X-ray facilities (L) are easily accessible for inbound and, if necessary, for outbound traffic. They are connected with the area for detained vehicles and confiscated goods (4) and the detailed inspection depot (A). The same detailed inspection depot can be used both for trucks and cars. The BCP design ensures trucks movement between the terminal facilities without unsecure and time consuming manoeuvres, avoiding impeding or blocking other vehicles.

Figure 12 Layout of Nuijama BCP



A similar solution is under adoption for Valimaa BCP, the busiest BCP on the eastern border of Finland. The future plans are to separate passenger and cargo traffic; a new customs clearance centre will be built for customs clearance of goods and trucks. Also, a new waiting area with a capacity of 500-1000 trucks should potentially reduce the length of queues by 15-30 km. In addition, it is planned to build a new wider 1.8 km road connecting the customs clearance centre of Vaalimaa (FI) and customs clearance centre of Torfjanovka (RU) (two lanes for both incoming and outgoing traffic).

2.3.4 Single Office as a step towards Single Window

Implementation of control on the principle of "Single Office" involves placing all state control services, operating at the BCP in the same hall with windowed cabins (booths) for control services in close proximity to each other. Drivers save time avoiding movements from one from facilities of one service to another. Officials from border agencies also can communicate with each other easier, especially in situations that require additional interagency consultations. Many experts consider Single Office also as an impediment for corruptive practices, as the situation in the hall is visible to all the people present there.

If representatives from different agencies want to see or inspect the truck and cargo, they come and do it together. The same, if detailed examination of the truck is needed, the representatives of the services, which are interested in, jointly conduct the examination.

The Single Office is a good practice on the way towards Single Window. Implementation requires constructional rearrangements in the main building and willingness of the services to operate in the same premises. The Single Office as a transitional measure is recommendable for BCP where many services still operate.

2.3.5 Delegation of passport control to customs

Passport control of drivers takes significantly less time than customs processing of commercial trucks. Border Guards are to some extent underemployed if they are dealing only with passport control; an inefficient use of human resources. On the other hand, customs officers, checking trucks and goods, verify drivers' identity as well. At BCP Kuznica the same passport readers installed at workstations of border guard and customs officers.

At road BCP in Finland passport control functions are handed over to Customs; commercial truck traffic is processed exclusively by customs officers. A customs officer processes the declarations of goods and the driver's identification documents. To support these checks, the officer has access to border guards' databases. Customs officers are trained accordingly by border guards to perform passport control tasks.

Truck drivers travel frequently across the borders. It means they are checked more often and probability of identification documents falsification and other person related violations is lower than in passenger traffic. In case of any complication or substandard situation with travel documents the customs officer can communicate with the head of border guard shift and ask for assistance and consultation. Therefore such delegation of responsibilities is rational and can be considered as a good practise of one stop-window arrangements at commercial truck terminals.

2.3.6 Delegation of other documentary checks to customs

In Finish BCP Valimaa Customs ensure the validity of veterinary certificates and contact the veterinarian if necessary, who decides whether checks are needed. Customs also carry out phytosanitary checks for the Finnish Food Safety Authority checking that soft wood imported into the EU is accompanied by phytosanitary certificates and carrying out controls of certain types of fruits, vegetable and berries. Customs is also responsible for controlling the compliance of road safety legislation, driving and rest regimes, breath testing of drivers, etc.

In the visited road BCP Terechovo (Latvia), Medininkai and Lavorishkes (Lithuania), Kuznica (Poland) modern veterinary and phytosanitary border inspection posts with necessary facilities are built. Officials of these services work in their premises without delegation of any checks to customs. A driver is coming to the veterinary or phytosanitary premises for documentary checks either on his own initiative knowing that he is transporting goods subjected to these checks or is directed by customs officer.

According to the Federal Law of 28 December 2010 № 394-FZ "On amendments to certain legislative acts of the Russian Federation in connection with the transfer of authority for certain types of state control to the customs authorities the Russian Federation ", Russian customs were given the authority to implement at the BCP transport control in full, sanitary-quarantine, phytosanitary and veterinary control – in frames of documentary checks. After checks of submitted documents, customs officer decides to release the goods for further transportation to the Russian territory or to direct to specialized sanitary-quarantine, phytosanitary or veterinary control posts for further inspection. This delegation of control and limitation of services involved in examination of vehicles and cargos is a positive step in terms of single window implementation.

However, the integration of border control requires integration of information systems of institutions involved. Otherwise, there is no single window, as customs officers have to enter repeatedly the same data into several information systems. Customs officers should be also trained properly to deal with expanded range of responsibilities.

The similar transfer of responsibilities is planned in Belarus: from 1 July 2013 transport control at the road BCP will be assigned to customs; customs will calculate charges for overweight vehicles and control travel and oversized freight permits, payments of taxes for use of roads. Handover of

documentary checks in relation to sanitary- epidemiological, phytosanitary and veterinary control to customs is envisaged by 2015.

For Russian and Belorussian authorities the reduction of the scope of so called transport control at BCP, maintaining control only in terms of compliance with the permit system of international road transportations, can be recommended, as it is done in EU countries.

2.3.7 Introduction of preliminary information in Customs Union on road BCP

Since 17 June 2012 a mandatory condition for goods import by road into the customs territory of the CU is the provision of preliminary information for at least 2 hours prior to the actual arrival of a truck with cargo at the border^{9,10}. The procedure is designed for screening of provided data and reducing the processing time at the border.

A carrier can send information directly to the electronic portal of the Russian Federal Custom Service (FCS) or have an intermediary, also connected to the customs server. If the preliminary information is not provided before the arrival of a truck at the border, a driver can still submit information at the BCP, where there are workstations with computers and Internet connections.

According to the information presented at the FSC website¹¹, the introduction of submitting preliminary information has reduced the average time of customs operations at the border from standard 70 minutes to 30-40. However, this information was presented without referring to any research, monitoring or mentioning specific Russian regions. Many of carriers in the ND area hardly felt any changes of time spent at the border, as they have used already for a long time this technology, directing the preliminary information about the goods to the customs authority on the voluntary basis. The PT included into questionnaire for experts from ND countries the question about an impact on BCP workflow of introduction of compulsory preliminary information in Customs Union. According to the answers from adjacent EU countries provided in September 2012, there were no significant changes at that time.

On the other hand, preliminary information is used for automated risk analysis. Basing on risk analysis a decision is made about type of control applied to the cargo (documentary checks, physical examination of goods and etc.). It means that preliminary information contributes to reduction of the processing time at the border provided that the Customs Risk Management System works effectively and insures high selectivity for more detailed examinations. Therefore, introduction of preliminary information should be complemented with further enhancement of the customs risk management systems in Russia and Belarus¹².

Expansion of mandatory preliminary information to other modes of transport could also increase the reliability of the Risk Management System due to wider scope of freight transactions available for analysis¹³.

Operability of risk management system can be improved as well by broader implementation of the Authorised Economic Operator (AEO) concept¹⁴, as it provides risk management system with an extended list of low risk traders. So far Russian AEO roster includes more than 70 operators¹⁵. The majority of AEO (more than 2/3) position themselves as producers of goods.

⁹ The decision of the Commission of the Customs Union on 09.12.2011 № 899 "On the introduction of compulsory prior information on the goods imported into the customs territory of the Customs Union by road transport"

¹⁰ In the European Union mandatory requirement on submission to the customs authorities of the electronic data of the cargo before its actual export or import came into force on 1 January 2011.

¹¹ The speech of the FSC representative V.Ivin

¹² Article 128 of the Customs Code of Customs Union determines that strategy and tactics of the risk management system is regulated by national laws of Customs Union's members.

¹³ The Russian Federal Customs Service is actively working with organizations involved in the carriage of goods by sea as well as JSC "Russian Railways" on introduction of preliminary information at the seaports and railroad crossings.

¹⁴ The AEO concept is under implementation in Russia since 2012

¹⁵ For information, in Kazakhstan - 30 to 40 traders, in Belarus - 300

In relation to preliminary information, it is worth to mention about experience of the so-called "Green Corridor" for law-abiding traders importing goods from EU to Russia. The Protocol on introduction of the "Green Corridor" for movement of goods from the EU to the Russian Federation was signed on 3 December 2002 in Gothenburg (Sweden) between Swedish, Finish and Russian customs administrations. Since September 2003 the project has been implemented at the Finnish-Russian border.

In accordance with opinion of experts from Russian Federal Customs Service, this "Green Corridor" has established itself as a successful example of simplifying and speeding up customs operations for bona fide business participants by supplying preliminary information. The scope of provided preliminary information was approximated almost to the extent of the export declaration, including the data related to prices and description of goods.

Today project's members are Finnish companies HANSAPRINT OY, VALIO, KIILTO OY. However, the list of traders for the project was not expanded, as the project idea of providing full information about prices and description of goods was somewhat contradictory the position of the European Commission on information exchange.

Besides introduction of preliminary information, in recent years most important innovations promising to speed up customs procedures at the BCP in Russia are electronic declaration and remote declaration (remote release).

At the end of September 2012 about 95% of declarations were submitted electronically (in January 2010, the figure was only 3%). About 85.4% of all Russian companies dealing with foreign trade have chosen electronic form of goods declaration. In accordance with the Russian legislation, electronic declaration will become mandatory from January 2014.

Remote declaration (remote release) is processing of customs electronic declaration and release of goods when goods are located in a region, other than the place of their declaration. There are now 26 electronic declaration centres for these purposes in Russia.

Remote declaration (remote release) is one of the main tools for implementation of the Concept of customs clearance and customs control of goods in places close to the state border of the Russian Federation¹⁶.

Despite the existence of common standards of data in electronic form, information systems of Russia and Belarus do not currently have a mutual integration with each other.

However, even with introduction of the electronic declaration, part of the documents is still on paper. The full transition to paperless technology is complicated by non-readiness of other state control bodies to use modern electronic mechanisms of interaction. Russian authorities recognise that in order to create favourable conditions for the use of electronic declaration, it is necessary to develop an electronic inter-agency cooperation and obtain electronic version of permits and licensing documents directly from the issuing control bodies of the Russian Federation, not from economic operators¹⁷.

Mandatory submission of paper documents is in many cases a factor, slowing down the control procedures. Acting in accordance with the current regulations, the customs inspector has to demand that traders submit certificates of origin of goods, other permissive documents related with transport legislation, the TIR Convention, etc. This is also related with the lack of interoperability of information systems of the federal authorities, as well as the inability to use by traders of unified electronic signatures in interaction with all federal authorities.

Paper copy of the customs declaration of goods with customs marks is a document required by the tax and financial authorities.

¹⁶ According to the Concept, over time customs clearance and release of goods will be mostly done in the frontier logistics terminals close to the BCP, with exception for some types of goods. Proximity of terminals to BCP allows eliminating transit declarations.

¹⁷ Development Strategy of the Customs Service of the Russian Federation until 2020, approved by the Russian Government on 28 December 2012, decree № 2575-p

Currently, minor errors or discrepancies, e.g., between data in TIR carnets and electronic declarations, result in rejection of the documentation, turning back of trucks and loosing place in the queue. As a solution could be recommendable in case of errors in the documents filed by the carriers, identified at the road BCP, to send these vehicles under customs seals to the destination customs of for in-depth examination. Experience has shown that the risk of non-delivery of cargoes to the destination customs currently is minimal.

More than 80% of carriers in Russia provide their services under provisions of the Customs Convention of the International Road Transport (TIR)¹⁸, which ensures additional financial guarantees for customs, guarantees the reliability of carriers, suitability of vehicles for use under customs seals. Minimization of paperwork for this category of carriers could lead to faster border crossings, e.g., reduction of the number of required Customs data from 55 (55 is a number of data in Russian customs transit declaration), e.g., to 15 (15 is a number of data in the TIR Carnet), as it is used in the EU countries.

2.3.8 Quick lines for empty trucks and AEOs

Different types of cargoes, goods and means of transport require different procedures and time for examination. Traditionally are recommended separate traffic lanes for vehicles with TIR carnets, transporting perishable goods, empty trucks and etc.

In terms of current conditions in the ND area, consideration should be taken to separation of empty trucks and trucks of Authorised Economic Operators (AEOs).

Separate traffic lanes for empty trucks are especially important for direction of movement from Russia and Belarus to EU countries. E.g., in accordance with statistics provided by Lithuanian customs for 9 months 2012, 58 percent of trucks entering Lithuania through Kamennyi Log – Medininkai BCP are empty. At this BCP there are 2 traffic lanes at the Lithuanian side assigned for entering empty trucks. However, before reaching these separate lanes, empty trucks have to wait for many hours in common queue with loaded trucks at the access to the BCP Kamennyi Log at the Belarusian side and pass the Belarusian BCP exit procedures in a common sequence.

For streamlined movement of empty trucks a continuous corridor covering both sides of the border is needed. In case of intensive movement the best solution is an arrangement of checks at traffic lanes, similarly as for passenger traffic, without parking in the cargo control terminal. Another important precondition for the implementation is separation of empty and loaded trucks before entrance to the BCP in the exit country. This separation could be facilitated with appropriate amendments to an electronic queue booking system.

The same facilitation principles are applicable at the BCP for trucks carrying goods of AEOs. The implementation of the AEO concept is more important for supply chain "EU export - transportation - CU (Russia, Belarus, and Kazakhstan) import".

The Customs Code of Customs Union and subsequently Russian Federal Law on Customs Regulation in Russian Federation introduced the concept of Authorised Economic Operators in compliance with the WCO Framework of Standards to Secure and Facilitate global trade (SAFE)¹⁹. This creates a background for further exploration of specific models and programmes suitable for local conditions.

The AEO concept envisages a range of benefits for economic operator who fulfils the criteria of customs compliance, appropriate record-keeping standards and financial solvency. Some of them are beyond BCP management sphere, as possibility to request a specific place for such control, possibility to delivery and carry out customs clearance of foreign goods in the operator's warehousing facilities without submission to the customs office of destination, release of goods before submission of customs declaration. At the BCP customs can offer fewer physical and document-based controls, priority of inspection and use of non-intrusive inspection equipment whenever physical examination is required. However, the most substantial facilitation would be separate corridors for trucks with AEO goods.

¹⁸ Data of Russian "Guild PROVED"

¹⁹ Earlier preferential treatment was granted as a "special simplified procedure."

In this respect is worth mentioning the recent initiative at the Estonian-Russian border. By agreement of the Estonian and Russian customs authorities the pilot project was launched on 26 September 2012 at the Koidula – Kunitsina Gora BCP to test and improve quick-line border crossing scheme for companies having the AEO status.

Quick-line is established to be used by economic operators acknowledged in the European Union as AEOs whose partners in Russia are the companies approved by the Russian Federal Customs Service.

The companies that comply with the approved requirements have a priority in booking their border crossing time in the electronic queue booking system GoSwift in a separate section for AEOs.

Quick-line in such format ensures privileged border crossing in comparison with other non-AEOs trucks waiting in queues. It means it can be considered as a reward of the AEOs for fulfilments of the defined criteria of customs compliance, appropriate record-keeping standards, financial solvency and etc, that is also very important and in spirit with the AEOs concept. However, in this case the throughput capacity of the BCP remains the same, and queues as well. Therefore, a more balanced approach is needed; quick-line should be accompanied with concrete simplifications of procedures at the BCP for AEOs. AEOs shall be subject to fewer controls than other economic operators.

To avoid such imbalances, one of the initial requirements for the pilot project implementation was that the number of trucks crossing the border in both directions within one hour under unprivileged electronic booking arrangements remains the same as before. This presumes that the throughput of the BCP will actually increase due to an additional number of trucks crossing the border under AEOs quick-line arrangement.

The pilot project requires further monitoring in terms of lessons learned and, if necessary, modification of testing conditions and expansion to a larger scale and other locations.

This should be done in conjunction with other measures aimed at effective application of the AEOs concept, continuous dialogue on this issue in the frame of the EU-Russia Working Group on Customs Border Issues and other formats.

Separate corridors for trucks with AEO goods and related arrangements jointly forming a common and secure supply chain would be one of steps towards the ultimate goal of mutual recognition of Authorised Economic Operators between Schengen Area and Customs Union countries.

To summarise, introduction of quick lanes for empty trucks and AEOs, in addition to infrastructural arrangements, requires concerted efforts at both sides of the border and crossing time booking or other identical flow management system.

2.4 PRACTICES SUPPORTING ONE-STOP-WINDOW AT ROAD BCP

2.4.1 Introduction of the queue management system

Long queues at the access roads to the BCP result in traffic safety, garbage and pollution problems. Drivers must cope with the lack of facilities such as toilets and showers cafe, free WiFi etc, insufficient security of the trucks and goods. Drivers are unable to manage their work and rest time; sometimes places in queues are sold. Long waiting time at the border leads to profit loss for carriers and owners of the goods.

Long queues problems were especially acute at the BCP Narva-Ivangorod located in the town area. Therefore, Estonians were the first looking for possible solutions. As a positive development was introduction of the queue management system on a compulsory basis in Estonia in August 2011 (Estonian GoSwift system). The GoSwift system now operates in all three road BCP at the Estonian/Russian border for entry to Russia. There were some estimations of Estonians experts that introduction of the new system saved transport companies in the country about 4 million Euros per year.

General rules of using the Estonian system are as follow:

- (1) The queue is divided into two components: 1) 50% of the average BCP throughput capabilities are allocated to the pre-arrival reservation; 2) 50% are allocated for serving a physical queue;
- (2) Log in to the system is required for all vehicles entering the BCP, except for scheduled buses, motorcycles, vehicles of diplomats and personnel serving the BCP. Multilingual interface is applied for ease of international users;
- (3) Place in the queue can be booked: 1) by driver, or his representative through the web site or by phone; 2) on arrival at the BCP or at the agreed place near the BCP;
- (4) Reservation fee (1.1 Euros) and waiting area fee can be paid by credit cards, bank transfer, in cash (booking in the waiting area);
- (5) Vehicle should arrive at the border within a period of time specified when booking (e.g., within one hour);
- (6) Every driver can make only one reservation in waiting queue and only one reservation can be made for each vehicle.

All the ND countries are aware of the Estonian GoSwift system; the functionality of the system was being examined closely by respective authorities. Following Estonian practices the subsequent actions are taken towards optimisation of vehicles access to the road BCP:

- (1) In July 2012 the Russian Rosgranitsa started a pilot project on electronic booking time for entry into the BCP Kunichina Gora at the Russian Federation side to enter Estonia. The system will be launched also at the BCP Shumilkino and Ivangorod. A time slot for crossing the border can be booked at the webpage: www.goswift.ru;
- (2) The Polish authorities are also preparing a project on booking time for cargo trucks "e-Booking TRUCK". The pilot project first starts on the Polish side, then consideration will be taken by the Belarusian authorities on the possibility of its implementation in the territory of Belarus;
- (3) At Latvian BCP Terehova a non-computerised version of the queue management system was implemented. A truck driver has to arrive at the registration point in proximity to the BCP and book the place in the queue. Afterwards he can spend time in the waiting area arranged close to the BCP or use other places for waiting. Interviewed drivers positively assess this innovation, but an electronic version of the system would be more convenient for drivers as it does not require a physical arrival for booking;
- (4) A tender for the acquisition of electronic queue management information system was launched in Lithuania. The system should be implemented in 5 main road BCP until 2015, starting next year from Kybartai BCP where a waiting site already exists near the BCP facilities.

The developers of queue management systems promote their readiness to develop the systems for pre-arrival risk analysis by border agencies. However some limitations should be taken into account in this respect:

- (1) The queue management system operate with information on transport exiting from the country, whereas risk analysis is more concentrated on entering persons and vehicles, imported goods. Therefore, this information would be more relevant only for border agencies on the other side of the border;
- (2) The queue management system registers drivers' data. For risk analyses passengers' data are also needed.

At the same time, data from the queue management system can be redundant for risk analysis, as:

- (1) Electronic preliminary information about imported goods, provided by a trader or a carrier and used for risk analysis, contains also vehicles and drivers data;
- (2) The automatic number plate recognition (ANPR) systems, which are installed at road BCP in EU countries, record the number plates of all vehicles entering or leaving the country. The system sends an alert signal if it identifies a number plate with associated risk from a so called "watch list";
- (3) For post-arrival risk analysis data from border agencies' information systems about border crossings are more reliable.

However, the queue management system can automatically generate reliable statistical information on vehicles crossing the border.

The system allows easily ensuring a priority in border crossings for vehicles with diplomatic number plates, vehicles carrying out perishables, live animals and in other cases when such right is provided for by law. Together with appropriate arrangement at the BCP the system can be developed for support of establishment of separate control lanes for empty trucks and trucks of AEOs. In this case the driver would indicate while booking that a truck is empty or carries goods of AEO. The system would form a separate virtual sequence of border crossings for these categories of trucks.

The electronic queue management system automatically generates a sequence of vehicles for entering the BCP of the exit country. However, the system doesn't cover further movement of trucks at traffic lanes and terminals of the BCP in the exit country and afterwards in the entry country. After release of one or more places for vehicles in the control zone (that is supervised by the operator visually or with cameras), the operator manually sets for the system a number of vehicles that can be admitted to the BCP from the appropriate queue (cars, trucks, buses)²⁰. Admission of vehicles to the entry country BCP released from the exit country BCP is also regulated manually. Lack of synchronisation between these two manual regulation points also can cause delays or congestion of vehicles in so called neutral zone between the BCP of both sides.

For truck drivers transporting goods until final destination across a few borders would be beneficial to book border crossing time at the all BCP on the route. Promotion and introduction of the identical systems in the neighbouring regions could allow optimising transportation schedules and ensuring predictable goods arrival time.

2.4.2 Introduction of Automatic Number Plate Recognition systems

The European Commission Anti-Fraud Office (OLAF) initiated the project "Strengthening of the Anti-Fraud Traffic Control Systems at the EU External Border". In the frame of this project Automatic Number Plate Recognition systems (ANPR)²¹ were introduced in EU countries at the road BCP and Container Code Recognition (CCR) systems at rail BCP. The systems are operated by national customs authorities of EU countries.

When a vehicle arrives at a road BCP, it is detected at the entrance by a sensor which triggers the capture of images of the passing vehicle. Once the images are captured, plate numbers are recognised. If the vehicles appear in a pre-defined list of suspicious cases (watch lists)²², a warning signal (with acknowledgment request) is sent to the operator's interface. Remote alarms to selected authorities, services or persons may also be generated. All data relative to the passing vehicle, including images and processed information, is saved on a database for future data exploitation: queries on past events, report generation, statistical analysis, etc.

The system allows enhancement of risk analysis, detection of stolen vehicles, revealing of persons and organized groups involved in transport of illegal products and fraudulent goods.

Further enhancement of the system should be directed towards:

- (1) Strengthening related analytical capacities of national customs services, as the effectiveness of the system is dependent on adequacy of watch lists prepared by analysts for the system;
- (2) Inclusion into the integrated watch list of cases that are in the scope of interests for other law enforcement agencies and transfer associated alarms to these agencies;
- (3) Introduction of the system at all road BCP;
- (4) Expansion of possibilities to share the data with other national law enforcement agencies, communication with external law enforcement systems (national or the EU), in view of exchanging data regarding traffic information and alarm signals, watch lists;
- (5) Compatibility and connectivity with other information systems in terms of usage captured vehicle data. So far the system is to some extent autonomous; vehicle data captured by the system are processed for risk analysis and security enforcement, but do not used directly in control procedures and traffic flow management at the BCP. Automatic number plate recognition is also needed for development of traffic flow management systems at the BCP.

²⁰ In order to prevent abuse of the system, the operator sets only the amount of called vehicles, but he cannot call for a specific vehicle from the queue

²¹ In Finland it is known as LIPRE (licence plate recognition system).

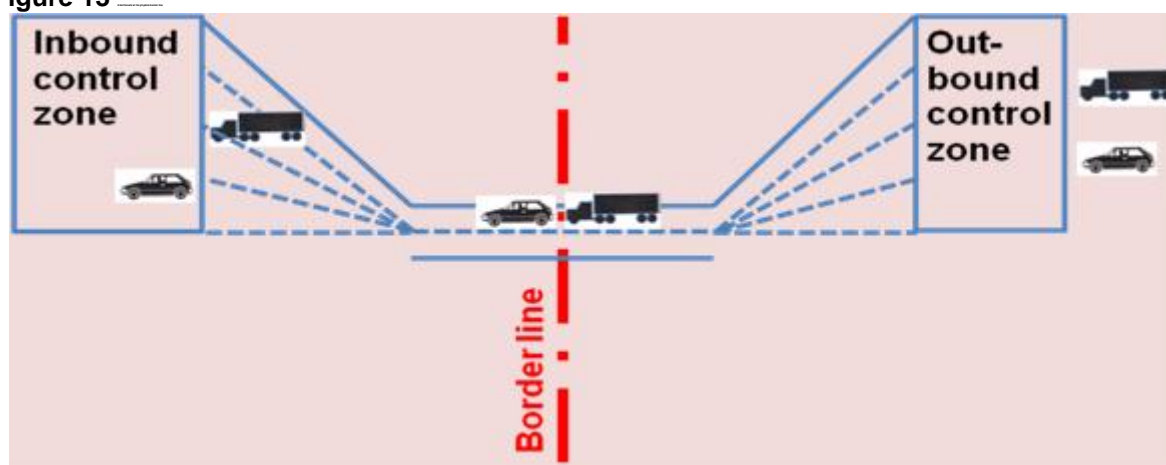
²² e.g., a car has hidden cavities and was used previously in smuggling

- E.g., in Estonian GoSwift system a vehicle is registered to the physical queue by the automatic registration device, based on a camcorder with automatic recognition of vehicle number plate;
- (6) Possibilities of expanding coverage of the system to Belarus and Russia using EU funds, such as the European Neighbourhood and Partnership Instrument (ENPI) should be explored.

2.4.3 Elimination of bottlenecks at the physical border line

As mentioned by experts in Poland, Latvia, Lithuania and Belarus, narrow stretch of road between BCP facilities at both sides of the border is a common problem for many BCP (Figure 13). Previous BCP construction and development projects were concentrated on expansion of BCP facilities and did not pay attention to the road stretch between BCP. Even it was viewed in many cases as a necessary component of traffic management – the narrowing allows the officer deployed there to control that cars passed all the checks. Furthermore, widening of these stretches requires coordinated efforts from both sides of the border.

Figure 13 _____



Widening of these stretches was mentioned as a priority by Polish experts. In the case of Bezledy BCP at the Russian border the freight and passenger traffic is impeded at the boundary line between both national sides having too few lanes for movement. Expanding this space will eliminate the mixing of passengers and freight within it and increase the BCP throughput.

Development of border crossings Bobrowniki-Bierestowica and Kuznica-Bruzgi at the border with Belarus allowed increase of their capacity, but the road infrastructure on the border line, connecting national sides of BCP remains unchanged (Photo 8). Therefore, Polish experts see a need of 1) construction of the second bridge over the river Svisloch in Bobrowniki BCP; 2) widening of road between Kuznica BCP facilities and the border line.

Construction of the new border bridge through the river Svisloch on the road border crossing in Bobrowniki will be possible after negotiating of the international agreement in this regard. Besides, there is a problem of cars waiting on border bridges for the border control. This situation is incompatible with the Polish road traffic code and is harmful for the structure of border bridges. It is advised to undertake suitable steps to solve this problem.

Photo 8 Narrow passage between the Kuznica (Polish side) and Bruzgi (Belarusian side) BCP



2.4.4 Time limits

In many of ND countries there are determined time standards for execution of specific control operation, e.g.:

Types of Control	Time Standards		
	Person	Passenger car	Truck
Border Guard	Up to 2 min.	Up to 10 min (taking into consideration time for conducting check through the data base of stolen transport means)	Up to 5 min.
Customs	Up to 2 min.	Up to 10 min.	Up to 30 minutes

However, establishment of such standards is not a good practice, as:

- (1) Restrain initiative of officers to apply flexibly risk analysis techniques being afraid to exceed the time defined;
- (2) Do not cover the whole process of border crossing, but only intra-institutional separate procedures. Sometimes can be used as an excuse for slow proceedings;
- (3) Cannot solve problems related with delays in checks and arising queues at BCP, as queues can be without reduction in spite of full compliance with the set limits.

Key Performance Indicators (KPIs) should be created on the bases of data from electronic traffic flow management system at the BCP. KPIs should integrate measurements of times of proceedings on one side of the border or, ideally, on both sides, enabling to identify the weakest (most time-consuming and posing delays) links in the procedures chain and take corrective measures. Saying "A chain is only as strong as its weakest link" is highly applicable for BCP proceedings.

2.4.5 Shifts changes

For the BCP at the main transport corridors it is very important to maintain not interrupted traffic flow 24/7 (24 hours a day, 7 days a week). In case of intensive traffic, breaks, even envisaged and announced on the websites, e.g. 13.00-14.00 for some BCP²³, expands waiting time for vehicles arriving before and after the break. Interviewed drivers noticed that during changes of the officers' shifts at many BCP cross-border movement still is slowing down, despite that there are no breaks envisaged for shift changes. It is especially protracting when shift changing time on both sides is

²³

Rosgranitsa website, information about BCP

different, e.g., 1 hour difference. Asked officials usually refer to the slowdown at the other side of the border.

Coordinated organizational and normative regulatory improvements, fostering client-oriented service mentality, are still needed to minimize and eliminate impact of shift changes on the speed of workflow at the BCP.

An up to half an hour overlap between shifts should be recommendable in this respect. The shift change at the same time at both sides of the border and either exclusion or synchronisation of technological breaks time at both sides of the border should be considered as good practises.

2.4.6 Adaptation of BCP status to traffic flows

Separate BCP designated only for cargo truck can be also a solution for intensive traffic conditions. So far in the ND area there is only one separate Kukuryki-Kozlowiczy BCP at Polish-Belarus border used for truck movement only with Koroszczyn truck terminal at the Polish side. For this purpose at the Polish side were built two parking lots for trucks waiting for customs clearance (which can seat a maximum of 600 trucks with proper sanitary infrastructure serving drivers) and the main terminal building, which houses customs, phytosanitary and veterinary services with detailed examination and storage facilities. The 4 kilometres long road stretch between the terminal and border bridge on the Bug is fenced, lighted and properly secured with moving vehicles monitoring system.

The similar solution will be implemented at the Lithuanian-Russian border for current Panemune-Sovetsk BCP, suffering infrastructural constraints related with the location of the BCP and access road in the town areas and the old bridge at the River Neman. Signed on 4 October 2011 the agreement between the Governments of both countries on the construction of a new bridge over the frontier river supposes establishment and construction of a new BCP Rambinas-Dubki for freight traffic in the vicinity of the new bridge.

In this case, the existing Sovetsk-Panemune BCP will continue to be used for pedestrian, light vehicles and scheduled buses traffic, freight traffic being routed to the new BCP.

Narva-Ivangorod BCP at Estonian-Russian border are located in the centre of the respective towns, which renders their enlargement impossible. An option would be to build a new bridge over the Narva River accompanied by border crossing facilities.

Establishment of additional BCP for passenger traffic could divert a part of traffic flow from BCP located at the main transport corridors and at the same time create better conditions for truck flow at the main BCP.

Current BCP of bilateral status, limited to movement of citizens from two neighbouring countries can be rearranged for international movement. As an example, Polowce-Pieszczatka BCP at Polish-Belarusian border currently operates in temporary facilities and may be crossed only by Polish and Belarusian citizens with passenger cars. After the upgrading of the BCP under way the estimated capacity will be about 200 trucks up to 7.5 tons (now only up to 3.5 tons) and about two thousand cars and 50 coaches during the day in both directions.

Some BCP with local status can be reassigned for international movement. It is especially feasible in densely populated areas where access roads to the BCP are in satisfactory conditions. There are negotiations between Lithuanian and Belarus authorities on development of 3 local BCP into international ones²⁴.

2.4.7 Anticorruption measures

Salary disparities among personnel in the ND countries along with some discretion of BCP officials in procedural proceedings and decision-making create conditions for corruptive practices: facilitation of smuggling, speed up the border passage avoiding waiting etc.

²⁴ Reconstruction of the bilateral BCP Vidzy - Tvyaryachyus, Losha - Shumskas, Moldevichi - Adutishkis on the border with Lithuania and then transfer them in the category of international BCP is among priority actions for 2011 – 2015 in the Program of Road BCP Infrastructure Development on the State Border of the Republic of Belarus until 2015. The same is reflected in Lithuanians respective plans.

The need to prevent and detect corruption, regardless of the level of threat posed at the borders, is acknowledged by the border agencies in the ND countries. E.g., detection, suppression and prevention of corruption crimes committed by public officials performing their official duties and crimes aimed at involvement of officers in criminal activity remain the important tasks for the Russian Federal Customs Service. Among the main causes of corruption remain inadequate wages and other social guarantees of customs officials²⁵.

Corruptive practices even in a small scale result in the lack of trust nationally among border agencies and internationally with counterparts at the other side of the border. The lack of trust complicates and impedes development of coordinated and integrated approach towards BCP management. This was emphasized by many of the PT's interlocutors from the visited border agencies.

Therefore, institutional, procedural and infrastructural arrangements in the BCP management model should implicate anticorruption measures as well. The following practises identified by the interlocutors from the border agencies can be considered for the broader adoption as a minimal set of corruption prevention measures:

- (1) All control procedures shall be clearly defined in appropriate legal normative acts that are publicly available; that limits discretion of BCP officials in rent-seeking behaviour;
- (2) Limitation of cash at the working places, using/carrying private mobile phones at work;
- (3) Four-eye principle for all sensitive checks and decisions; the above mentioned one stop principle, presence at the same place and joint examination of means of transportation by officials from the involved agencies fully corresponds to this principle;
- (4) Establishment and strengthening of internal security units in border agencies. A possibility for internal security units of border agencies and external authorities to carry out unannounced visits and checks at the BCP, independently of local managers (inspection of procedures and, if necessary, working space, personal belongings, excessive amount of cash etc.);
- (5) Hotlines easily accessible to travellers and traders at BCP and beyond (phone numbers, Email addresses, websites), anonymous reporting channels;
- (6) Proper recording of all actions, preferably electronically, should make ex post performance analysis possible. Surveillance of the BCP area with video cameras not only ensure public security and order at the BCP but also has a preventive effect creating a possibility to review video recordings from working places to prove questionable actions or engagement in corrupt practices;
- (7) Rotation of officers and duties: regular (a few years) redeployments of Border Guards and Customs Units commanders from BCP to BCP; rotation of staff among shifts at the BCP;
- (8) Daily duty rosters presumes rotation of officers at certain posts and working places during the shift, officers points of deployments are not known in advance; for such type of redeployments at short notice officers should trained respectively to conduct a broader range of operational tasks;
- (9) Salaries must be adequate to the actual living costs. But high wages do not always necessarily prevent corruption; they are effective only together with other anticorruption measures.

²⁵ Development Strategy of the Customs Service of the Russian Federation until 2020, approved by the Russian Government on 28 December 2012, decree № 2575-p

3. ANALYSIS OF CROSS-BORDER ONE-STOP-WINDOW AT ROAD BCP

3.1 INTERNATIONAL LEGAL BASIS

Cross border one-stop-window imply the joint control of border agencies from neighbouring countries processed in the different variants, which can be designed and developed. Joint control is one of the international standards and best practices of harmonisation and simplification of border crossing procedures. They are formulated in International Convention on the Simplification and Harmonisation of Customs Procedures (Revised Kyoto Convention)²⁶:

- *At common border crossings, the Customs administrations concerned shall, whenever possible, operate joint controls*²⁷.
- *Where the Customs intend to establish a new Customs office or to convert an existing one at a common border crossing, they shall, wherever possible, co-operate with the neighbouring Customs to establish a juxtaposed Customs office to facilitate joint controls*²⁸.

The WCO's guidelines on the interpretation of the Revised Kyoto Convention General Annex present the following explanatory notes regarding the joint control:

- *The Customs controls of the exporting administration are conducted at the same time as the Customs formalities of the importing administration (or near simultaneously) by officers from both Customs administrations; and*
- *The Customs controls are conducted within a common area where Customs offices of both administrations are established, whether in separate buildings or in a single facility).*

The International Convention on the Harmonization of Frontier Controls of Goods, 1982 (Harmonization Convention, 1982) sets the following reference for joint customs control²⁹:

- *Whenever a common inland frontier is crossed, the Contracting Parties concerned shall take appropriate measures, whenever possible, to facilitate the passage of the goods, and they shall, in particular: endeavour to arrange for the joint control of goods and documents, through the provision of shared facilities.*

The principle of joint control allows reducing the number of stops incurred in crossing of the border by combining the control procedures of both countries border agencies at a single common location. Joint BCP enables agencies of neighbouring countries to replace sequential control with simultaneous (or almost simultaneous) control at a single point located in the territory of either country.

The above-mentioned guidelines refer to joint customs control and are addressed to customs administrations, but joint processing between customs administrations in isolation would not be efficient enough without involvement of other border agencies. Therefore, these provisions should be considered in conjunction with the WCO developments on coordinated (integrated) border management.

The single common location for joint control can be on either one side of the border (Figures 14-15) or juxtaposed facilities located in country 1 for one direction of movement and in country 2 for the opposite direction of movement (Figures 16-17).

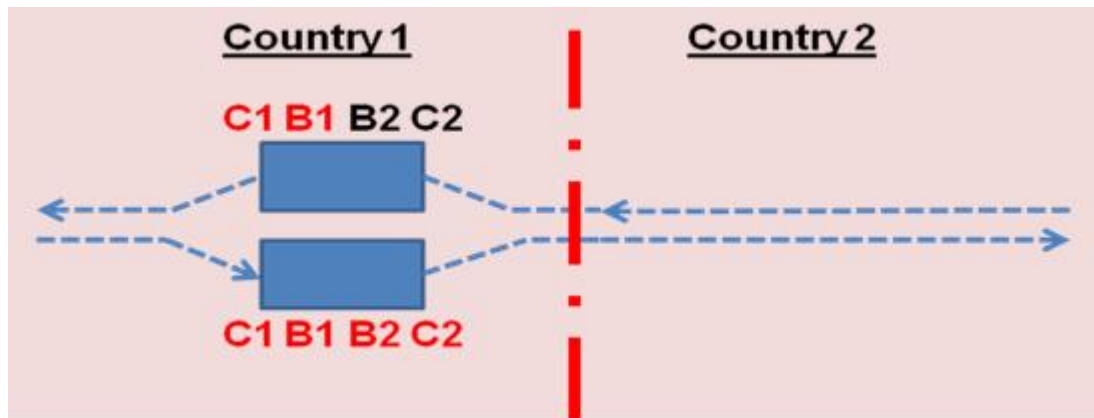
²⁶ General Annex, Chapter: Clearance and other customs formalities

²⁷ 3.4. Transitional Standard

²⁸ 3.5. Transitional Standard

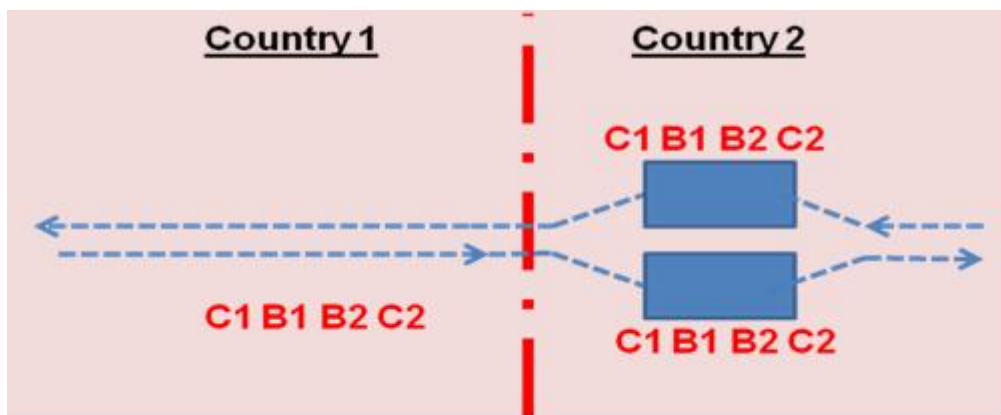
²⁹ Chapter II - Harmonization of procedures, Article 7 - Co-operation between adjacent countries

Figure 14 Joint one stop BCP (in country 1)



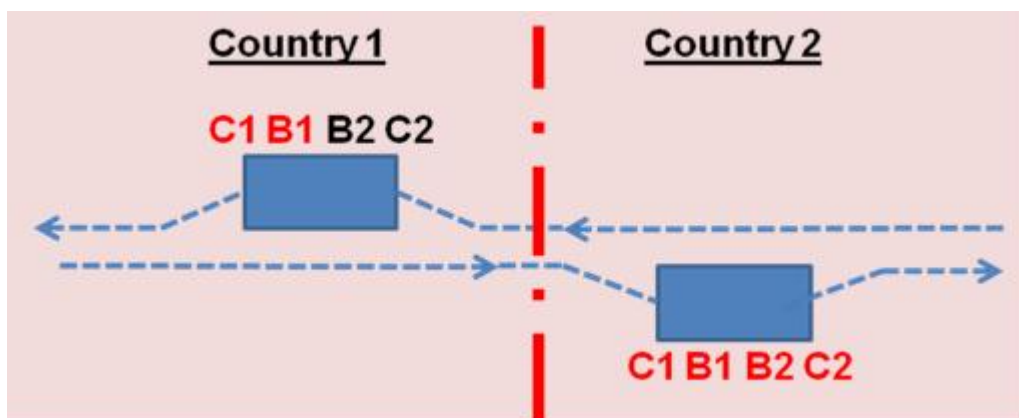
C1- customs formalities of country1; B1 - border guard formalities of country 1; C2- customs formalities of country2; B2 - border guard formalities of country 2

Figure 15 Joint one stop BCP (in country 2)



C1- customs formalities of country1; B1 - border guard formalities of country 1; C2- customs formalities of country2; B2 - border guard formalities of country 2

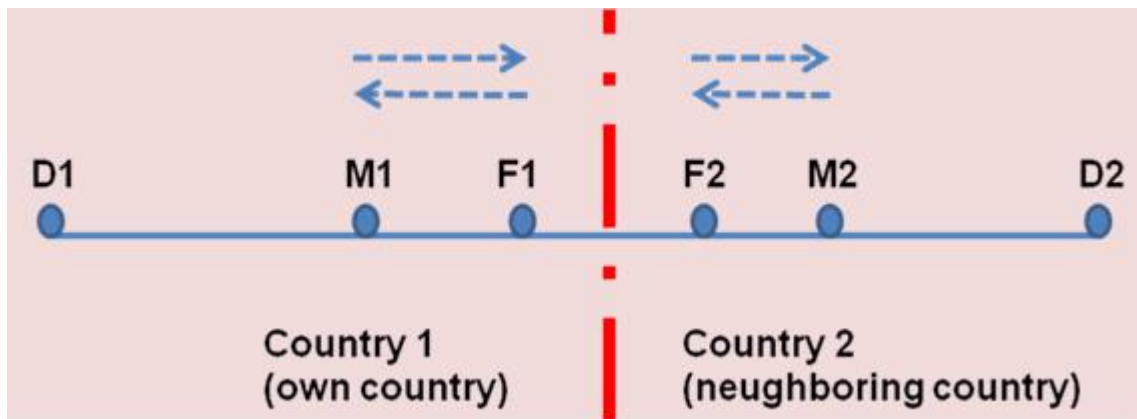
Figure 16 Joint one stop juxtaposed BCP (option 1)



C1- customs control of country1; B1 - border guard control of country 1; C2-

customs control of country2; B2 - border guard control of country 2

Figure 17 Joint one stop juxtaposed BCP (option 2)



C1- customs control of country1; B1 - border guard control of country 1; C2- customs control of country2; B2 - border guard control of country 2

3.2 ND COUNTRIES EXPERIENCE

The principle of joint BCP is not a new one and was developed in many regions and countries. One stop and joint control arrangements have been applied in Western Europe countries since the early 1960s. The ND countries themselves have past experience in creation and development of joint BCP.

Joint BCP had been established before countries accession to the EU at Polish-Lithuanian border (Ogrodniki-Lazdijai), Lithuanian-Latvian border (Salociai-Grenctale, Kalviai-Meitene), Latvian-Estonian border (Ainazi-Ikila, Veclaicene-Murati, Valka-Valga) and functioned until joining Schengen area in 2007.

Existing BCP infrastructure was rearranged for joint work with minimal investments moving control to one side infrastructure or using facilities on both sides (juxtaposed schemes), depending on local conditions and expediency.

The juxtaposed scheme proved to be more appropriate for upgrading of already existing BCP, as it did not require either country to give up using own infrastructure, facilities of both sides were exploited to a large extent (Figures 16-17). It was opposite to one side arrangements when facilities of only one of the countries housed officers from both countries for carrying out controls (Figures 14-15). Officers appeared to be in somewhat spatially squeezed and constricted conditions.

However transfer to the locations to some extent meant that officers were doing the same procedures, only sometimes in less comfortable conditions. Therefore, rearrangements were done in conjunction with some streamlining and simplification of procedures, exploiting opportunities resulting from a single location. Passenger traffic customs control was conducted only by inward country's authorities, for trucks declarations were done at outward country with verification done at the inward country. Border guards of both countries worked side by side, person's identification was conducted only by officer from one country with handover of passport to the officer from another country.

At the bilateral BCP for passenger traffic between Lithuania and Latvia were applied the one stop arrangements where officers of one country were authorised to apply the controls on behalf of the other country in addition to their own controls. The BCP were distributed according to the "chess principle": in one BCP worked only Lithuanian officers, in the next- Latvians.

Some lessons can be learned from Belarusian-Polish experience of sharing BCP facilities for joint control. The joint arrangements were implemented on the basis of the 24 April 1992 intergovernmental agreement on border crossing points envisaged a possibility for adoption of infrastructure for

conducting joint border, customs and other control in the same place by respective agencies of both countries (article 4, part 2). Joint checks were introduced in the majority of Belarusian-Polish BCP³⁰:

- (1) At Kuznica BCP the infrastructure was built at Polish side for common use with Belarusian authorities and joint work was conducted until 2003;
- (2) At Bobrowniki BCP common checks took place until the year 2006. There are no spaces available for the Belarusian at the moment (rooms that were designed for the Belarusian border agencies have been adopted by the Polish Border Guard);
- (3) At Polowce BCP common border checks took place until the year 2007. In the design of the new BCP after expansion and modernization is not envisaged organization of joint clearance;
- (4) Koroszczyzn cargo terminal at the design stage has been prepared to conduct joint control with Belarus agencies. Infrastructure available at the time allowed for the organization of joint control³¹;
- (5) Infrastructure of Terespol road BCP allows joint control. There was joint control in the past: at the Polish side in Terespol movement from Poland to Belarus was checked by authorities of both countries, at the Belarusian side in Brest was checked jointly movement from Belarus to Poland;
- (6) At Slawatycze BCP joint control by authorities of both countries at the Polish side functioned until September 2011, i.e. until the construction of the terminal in Domachewo, where Belarusian services moved to.

In 2006, when Polish border authorities were subjected to the Schengen evaluation, the evaluators found that work of Polish officials in Ukraine and Belarus is contradictory to the Schengen Borders Code requirements and Polish border agencies were removed from joint BCP located in the third countries (Belarus and Ukraine). At the same time, despite a negative opinion, the evaluators accepted presence of third countries officials in BCP at the territory of Poland, as there were no legal contraindications to the joint inspections on the Polish territory. The Polish-Ukrainian agreements on construction of 2 new BCP on Polish side, which are currently being finalized, have been adopted as well³².

Poland over a year ago took an initiative to request the European Commission to amend the Schengen Borders Code with relevant provisions. Work at the EU level in this area continues, the project is ready, and hopefully the amendments will be adopted soon.

Intergovernmental bilateral agreements on joint control between the neighbouring countries provided necessary legal framework for further work on organization of joint BCP. These agreements are to some extent standard and include the following main provisions:

- (1) The implementation of the one stop concept requires that officers from control agencies of one country shall exercise their tasks on the territory of the adjacent country in accordance with own national legislation and with the same legal consequences as when taking these actions within the territory of own country. In other words, provision should be made for extra-territorial jurisdiction;
- (2) Hosting provisions allow hosting of officers from the neighbouring country with powers to apply their own national legislation;
- (3) The host country usually ensure security and public order at the joint BCP area, as well as provide security, legal and other type of assistance for officers from the neighbouring country;
- (4) Usually provisions of legal acts of the exit country regulating the control are applied till the moment when an officer performing the control declares that the control is completed. Control agencies of the exit country shall carry out repeated control only upon the consent given by control agencies of the entry country;
- (5) Obligations and rights of officers from the neighbouring country in the host country, including wearing of uniforms, use of weapons, importation and use of necessary equipment; arrest of a

³⁰ At the present time on the Polish-Belarusian border there is no joint clearance

³¹ In accordance with Polish experts, additional clearance hall with adjacent office space, provided at the time of design phase and construction) for joint control with officers of Belarusian customs service, offers the possibility of adaptation of these facilities for doubling of a number of simultaneously cleared trucks cars in current conditions of growing traffic.

³² In this context should be mentioned that Slovaks in 2010 appeared in the European Commission for permission to build a joint BCP with Ukrainians in their section of the border and got a negative decision

- person or seizure of property and a transfer of the concerned person or object into territory of own country, immunity of officers;
- (6) If necessary the requirements for adjustment and amendments to national institutional legal normative acts and the drafting of standard operational procedures for daily routine must be considered.

Opening of specific BCP for joint control, financing modalities for the reconstruction (construction) and maintenance of the facilities are usually defined with exchange of diplomatic notes.

Joint BCP are usually established on a parity basis: numbers of joint BCP situated in own country and in the territory of the neighbouring country are equalised.

Conditions for joint control introduction could not be the same at all BCP. Therefore, provisions of an intergovernmental agreement have to be enough general, enabling specification of procedures and interaction among border agencies in secondary regulatory documents, e.g. interagency agreements among border agencies from both countries. This also allows more flexibility in case of changes in working environment at the border and to consider specifics of different BCP.

The ND countries have such type of intergovernmental treaties providing the possibility of joint control with the countries beyond the ND area, for example, at the Polish-Ukrainian border³³, Belarusian-Ukrainian border³⁴, and Russian-Ukrainian border³⁵.

From the latest joint control developments beyond the ND area it is worth to mention the pilot project on a jointly operated BCP launched at the Moldova-Ukraine border in February 2012 for an initial trial period of six months. As it is stated on the EUBAM website, crossing times for travellers and goods was reduced by as much as 15%-20% by the end of the six-month term, the pilot project has also served to enhance cooperation and trust between the border authorities of both countries, with Moldovan and Ukrainian border guards performing their duties from a single booth. Joint work will be continued with both Moldovan and Ukrainian authorities considering the possibility of establishing jointly operated BCP in other places at the Moldova-Ukraine border.

3.3 CURRENT POSSIBILITIES FOR INTRODUCTION OF JOINT BORDER CONTROL IN THE ND COUNTRIES

Despite evident practices of the ND countries in joint border control, currently there aren't any international agreements and jointly operated BCP at the Schengen Area countries borders with Russia and Belarus, so there is a lack of experience how such systems would operate in practical operational terms of arising requirements for traffic and trade facilitation in the region.

In visited EU countries the experts interviewed about feasibility of joint BCP development first of all refer to the current legislation that does not envisage joint checks³⁶.

Article 17 of Regulation No 562/2006 of the European Parliament and of the Council of 15 March 2006 establishing a Community Code on the rules governing the movement of persons across borders (so called Schengen Borders Code) determines joint control only at EU Member States common land borders. It means that such arrangements can be concluded in case one of the EU countries joint Schengen area and another EU member State does not fully apply Schengen rules.

Since adoption of these legal restrictions with following afterwards Schengen Evaluation of the correct application of the *acquis* in candidate countries prior to their entry into the Schengen system the issue

³³ Agreement between Cabinet of Ministers of Ukraine and the Government of the Republic of Poland about cooperation during the control of persons, goods and vehicles that cross the Ukrainian-Polish border dated 6/25/2001

³⁴ Agreement between Government of Ukraine and Government of the Republic of Belarus on the organization of joint control at the Ukrainian-Belarusian border dated 14.12.1995

³⁵ The agreement between the Cabinet of Ministers of Ukraine and the Russian Federation on cooperation in joint control of persons, vehicles and goods on the Ukrainian-Russian state border will enter into force.

³⁶ In accordance with Belarusian experts there aren't any legal impediments for joint work in Belarusian legislation.

of joint control has not been considered in national BCP development strategies and plans, as well as at bilateral agendas with third countries on improvement of cross-border movement. During this period on the main transport routes in the ND area many BCP were built or reconstructed with designs tailored to separate control on both sides of the border.

At the present time legal basis for shared border crossing points are under discussion in relevant EU working parties. During the meeting with representatives of the European Commission Directorate-General for Home Affairs (DG Home) the PT member was informed on the present activities of preparing a revised version of the Schengen Code, that envisages shared border crossing points at the EU external borders.

In accordance with the proposed amendments, Member States may conclude bilateral agreements with neighbouring third countries concerning the establishment of shared border crossing points located either on Member State territory or on third-country territory. Specific attention is taken to conditions of the technical and organisational security measures required by EU law to protect personal data, as well as international protection in accordance with EU Asylum *acquis*.

The revised Schengen Border Code will allow reconsider feasibility of joint control at the EU countries border with Russia and Belarus³⁷.

Since 2006 many BCP at the main transport routes were substantially renovated both on EU countries and Russian/Belarusian sides without consideration of joint control opportunities. Further adjustments for joint control could be complicated in some locations. Transfer control to one side either reduces capacities or requires substantial additional investments. However, despite all these complexities, the joint border control concept deserves to be increasingly fostered and promoted at political and interagency executive levels.

The EURO 2012 experience can be a good predictor for the adoption of joint control and other new one-stop-window solutions for passenger traffic.

During EURO 2012 at road BCP on the Polish-Ukrainian border travellers were checked only on the Polish side by Polish and Ukrainian border agencies. Joint control together with green corridors and green lanes³⁸, adjustable traffic lanes³⁹ and E-Booking⁴⁰ should be considered as a best standard that could be applied for handling the temporary rises of traffic intensity at BCP, for example, during holidays.

³⁷ The revision is subject to the EU Parliament negotiations and subsequent decision. It is hoped that the process may be finalised early 2013.

³⁸ Where green corridors running on both sides of the border couldn't be created, green lanes were used on the Polish side.

³⁹ Depending on the direction of prevailing movement, where BCP layout allowed, entry lanes can be used as exit lanes and vice versa. Optimally, the adjustability of traffic lanes should be regulated by light boards.

⁴⁰ E-Booking - introduction of electronic notification of the arrival of tourist buses as standard at the land border, can shorten the bus stay at the BCP and allow more effective planning of border agencies work.

4. ANALYSIS OF ONE-STOP-WINDOW AT RAIL BCP

This analysis was done on the basis of findings at the visited railway BCP Kuznitsa (Poland, border with Belarus), Zilupe (Latvia, border with Russia) and Kena (Lithuania, border with Belarus) as well as meetings with experts in the headquarters of the relevant institutions.

There are functioning 21 railway border crossings at the EU countries border with Russia and Belarus⁴¹. 6 of them are now open only for cargo movement⁴², the rest are used both for cargo and passenger trains. The railways BCP are located in frontier railway stations. Railway BCP, unlike road BCP, are not built close to physical border line exceptionally for border control procedures. At the Polish-Belarusian and Polish-Russian segments of border the frontier railway stations already in Soviet Union times were to some extent adapted to the border crossing procedures⁴³. At the Baltic countries border with Russia and Belarus the existing railway stations in proximity to the border on both sides were established as railway BCP adopting and developing infrastructure to border control needs. Locomotives are usually changed at the frontier railway stations.

Trains stop at the nearest terminal from the border (this can be a station or a designated terminal), where locomotives are changed to ones that provide long distance transport to either an inland cargo station or to its final destination.

Therefore, many railway BCP are in distance from the border in many cases even more than 10 km. Remoteness requires to adopt additional border security measures when a train is moving between the border line and the railway BCP to prevent possibilities to jump out from the train or throw out smuggled items when the train slow down or stops for a while. For prevention of such possibilities there is a need either to escort each train with border guards on board or to install an electronic surveillance system along the railway stretch between the frontier railway station where the BCP is situated and the border line. E.g. such an electronic surveillance system is installed at the visited Polish Kuznitsa BCP (border with Belarus) and Lithuanian Kena BCP (border with Belarus).

Another issue is a different location of facilities for freight trains control and passenger trains control in some BCP, as frontier railway stations had not enough facilities for cargo trains control. Cargo trains control in these cases was arranged in inland depots and marshalling yards far from the border. In addition, this separation of controls resulted in inefficient use of border agencies staff at frontier railway stations as they had to check only a few passenger trains per day and the rest of time being unoccupied. Therefore, a common trend in all the countries is to transfer control closer to the border, appropriate projects were implemented last years at these locations. E.g., currently, in Kaliningrad district (border with Lithuania) control of passenger trains is conducted at the station Nesterov, freight trains at the station Chernyakhovsk, located at a significant distance from the border (10 km and 62 km). A project is under implementation which after completion will allow controlling freight and passenger trains in a single point at the station Chernyshevskaya close to the border.

4.1 PASSENGER TRAINS CONTROL

Main passenger international railway routes between cities in the ND countries connect Helsinki, Tallin, Riga, Vilnius and Kaliningrad with St. Petersburg and Moscow; East-West route via Brest connects Moscow and Minsk with Warsaw, Paris and other European cities. Other cross-border routes, such as Kuznitsa (Poland) – Grodno (Belarus) are of local importance.

4.1.1 Border checks at the national sides

Border checks of passenger trains are organised in the following ways:

- (1) On stopped trains at the frontier railway station that is the last station of departure and the first station of arrival on the territory of the country;
- (2) On moving trains.

⁴¹ No railway connection between Norway and Russian Federation

⁴² Imatra-Svetogorsk (Finish-Russian), Glomno-Bagratiionovsk (Polish-Russian), Skandawa-Zheleznodorozhny (Polish-Russian), Czeremcha-VisokoLitovsk (Polish-Belarusian), Siemianuwka-Svislach (Polish-Belarusian), Pagegiay-Sovetsk (Lithuanian-Russian)

⁴³ Due to differences in track width (1,435 mm standard European and 1,520 mm Russian), the boogies (wheel sets) are changed at these segments of border.

At all routes, except connection between St. Petersburg-Helsinki, passengers are checked on stopped trains. In accordance with internationally recognized standards, the duration of stay for the international trains subject to examination shall not exceed 40 minutes for a train except for border crossings where the coaches are placed from one track gauge to another.

When coaches are being placed on other bogies of another rail gauge, border checks are carried out during that operation (Brest at the Polish-Belarusian border).

In some locations control of trains exiting the country is set a shorter time limit - 30 minutes, trains entering the country – more than 40 minutes. Taking both sides of the border it should be considered for up to 1.5 hour prolonged trip due to border crossing formalities. For routes connecting Kaliningrad with the CIS countries cities this time is doubled as a train is checked at Russian-Lithuanian and Lithuanian-Belarusian border.

Before the arrival of the train at the frontier railway station, all outsiders are removed from the platform designated for the arriving train. Access to the place of the train's stopping by persons who are not boarding the train is restricted during the train control. The train and its surrounding area are continuously observed by border guards to prevent attempts to board the train or disembark from the train illegally.

Train's carriages and coupes are checked one by one usually by two control teams of officers moving from the head and the end to the middle of the train. The control team consists of border guards and customs officers performing their duties in parallel.

Border guards perform passport control using portable passport and visa readers with online connection to the information systems. Customs officers check hand baggage after their owners documents are checked by border guards. In addition, internal inspection of carriages compartments includes searches of spaces and cavities to prevent concealments of persons and goods. Border guards and customs officers have possibilities to help and assist each other, if necessary.

During the entire time of the check passengers can't move from the checked and unchecked parts of the train (carriage). That movement shall be admitted only in particular cases with personal documents.

The frontier railway station can be also designated for boarding of passengers who departure from the country and disembarking of passengers arriving to the country. In this case special arrangements are needed for these passengers. They usually are checked before boarding and after disembarking in the control place at the entrance to the platform or in the premises of railway station accompanied by border guards to and from the train.

There are special transit arrangements, including establishment of Facilitated Rail Transit Document (FRTD), introduced for passengers of third countries in trains on the routes between Kaliningrad and Moscow/St. Petersburg moving via Lithuanian territory⁴⁴.

Onboard border checks on a moving train are introduced only on the Finnish – Russian border. In 2011 the Finnish and Russian Railways launched a new, high-speed train service between Helsinki and St. Petersburg called "Allegro". A journey takes just 3 h 30 min and 1 h 30 min stop at the border would depreciate high speed advantages.

On the Russian side control takes place as the train travels between St. Petersburg and Vyborg. This generally takes about one hour. Russian border guards and customs are in the buffet car, which is situated in the centre of the train. They move towards the head and the end of the train respectively. If passengers are disembarking in Vyborg, they go through customs and passport control at Vyborg Railway Station. Finnish officials conduct checks on the section between Vainikkala and Kouvola.

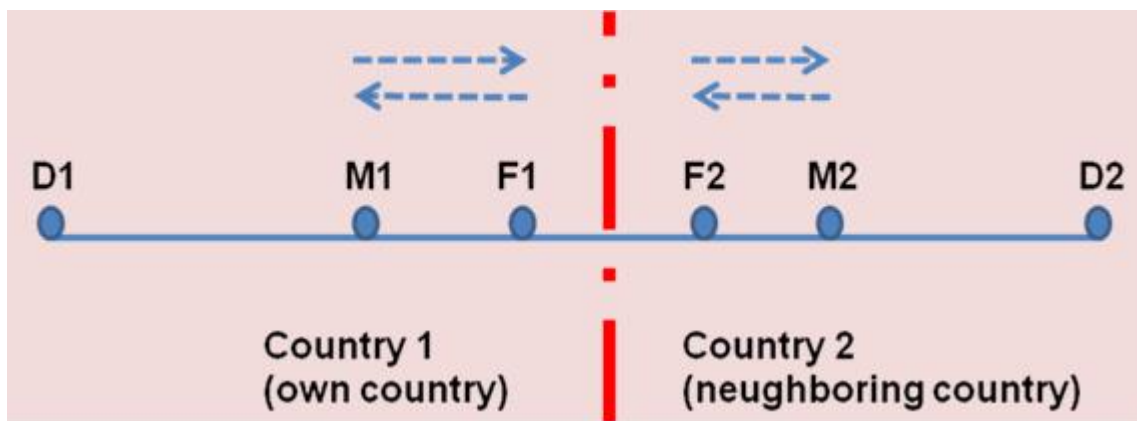
⁴⁴ Facilitated Rail Transit Document (FRTD) is a specific authorization allowing for facilitated transit, which may be issued by Member States for a single entry and return by rail. The FRTD is issued in the form of uniform formats in accordance with Regulation (EC) No 694/2003 establishing a specific Facilitated Transit Document (FTD), a Facilitated Rail Transit Document (FRTD) and amending the Common Consular Instructions and the Common Manual

At the meeting with the PT, the Estonian experts mentioned about plans to introduce control on a moving train for connection Tallinn-St. Petersburg.

Onboard border checks on a moving train are the best solution in terms of shortening travel time. This mode of control provides some competitive advantages with the respect to bus and air connections, as there are no necessity to stop for control or to have controls before boarding and after leaving a means of transportation. However, the difficulties in the introduction should be considered:

- (1) A train moving abroad from departure station D1 should be checked between intermediate station M1 and frontier station F1 (Figure 18). The distance between stations M1 and F1 should be long enough to ensure that checks are accomplished until arrival to station F1. The same is required when a train arriving from abroad (with station D1 as a final destination) is checked between stations F1 and M1;

Figure 18 Border checks at the national sides in moving trains



In the own country: D1 – initial departure station for outbound trains and final destination station for incoming trains; M1 – intermediate station; F1 – frontier station (BCP); in the neighbouring country: D2 – initial departure station for incoming trains and final destination station for outbound trains; M2 – intermediate station; F2 – frontier station (BCP)

- (2) Wireless communication network should cover all the area between stations F1 and M1 without dead zones to ensure onboard uninterrupted online connection of portable passport readers with the information systems;
- (3) Railway companies are interested in using the same trains for domestic and international connections. A train moving abroad from departure station D1 can be used for domestic trips to intermediate station M1 and frontier station F1. A train entering the country can be used for domestic trips from frontier station F1. Therefore, proper separation of domestic and international travellers in the train is needed that sometimes can be in contradiction with comfortable service expectations;
- (4) Another issue is an optimal use of border agencies manpower. Trains schedules could appear to be not compatible with trains' examination schedule. E.g., the control team started entry control at station F1, left the train at station M1 and for a long time is waiting for the next train to go back to the station F1. Schedules of international trains are usually difficult to change as they are set depending on many other factors. In general, service premises are needed for officers either in both stations M1 and F1 or at least a waiting room in station M1. In case of border checks on a stopped train at the frontier station, all the officers of the shift can be assigned for control. In case of border checks on moving trains sometimes would be necessary to split the shift to check another train that prolongs control duration for both trains.

Therefore, possibilities to introduce onboard border checks on moving trains should be considered for each specific BCP and even for concrete trains at the same BCP, taking into account trains schedules, type of train, distances between station D1, M1, F1, number intermediate stations and other abovementioned factors and conditions.

First of all, such introduction should be considered for high speed trains, moving from the departure station until the destination station without boarding and disembarking passengers at the intermediate stations.

In case of high speed trains moving without stopping at intermediate stations can be considered possibility to conduct border checks at departure station D1 before boarding. E.g. border checks in train No. 1 on the Moscow-Kyiv route start at the platform of Kyivsky station in Moscow one hour before departure, similarly as in airports, passengers can go immediately to the train after checks.

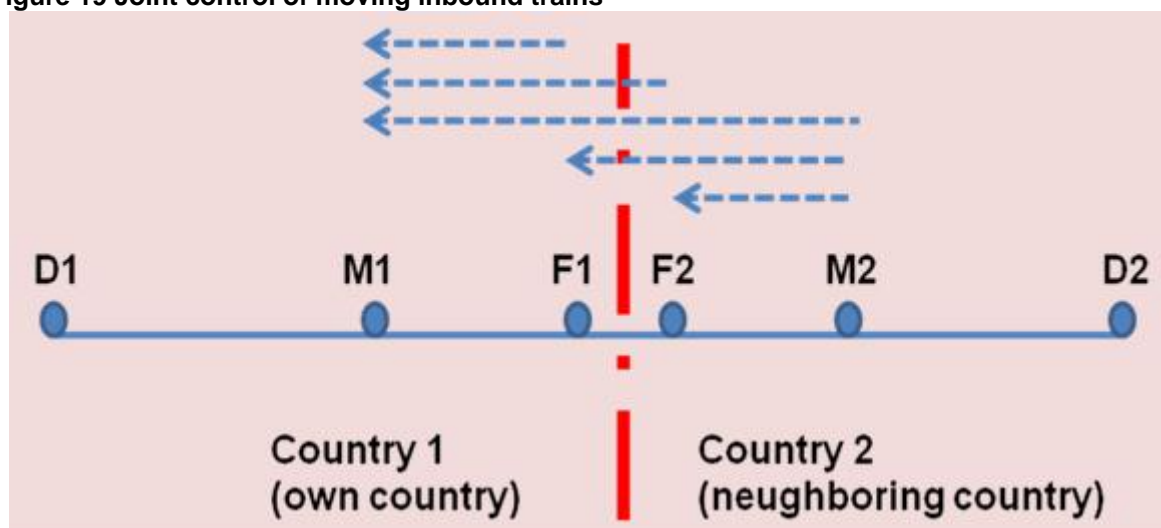
4.1.2 Cross-border joint checks

There aren't any agreements between EU countries and Russia/Belarus on joint border control at railway BCP. Similarly to road BCP, concluded bilateral agreements with the neighbouring country on joint control on railway connections should create a legal framework which provides for border agencies to apply their laws within the territory of a neighbouring country (extra-territorial application of national laws) and allows hosting of the border agencies from neighbouring country (hosting arrangements). As follows from international practises, usually the same agreement can cover joint control arrangements on road and railway BCP.

In case of joint control, border checks can be carried out in the following ways (Figure 19):

- (1) In the first station of arrival or last station of departure on the territory of the own country (frontier station F1);
- (2) In the last station of departure or the first station of arrival on the territory of a neighbouring country (frontier station F2);
- (3) On board the train, during movement between the last station of departure in a neighbouring country and the first station of arrival on the territory of the own country or vice versa (F1►F2 or F2►F1).

Figure 19 Joint control of moving inbound trains

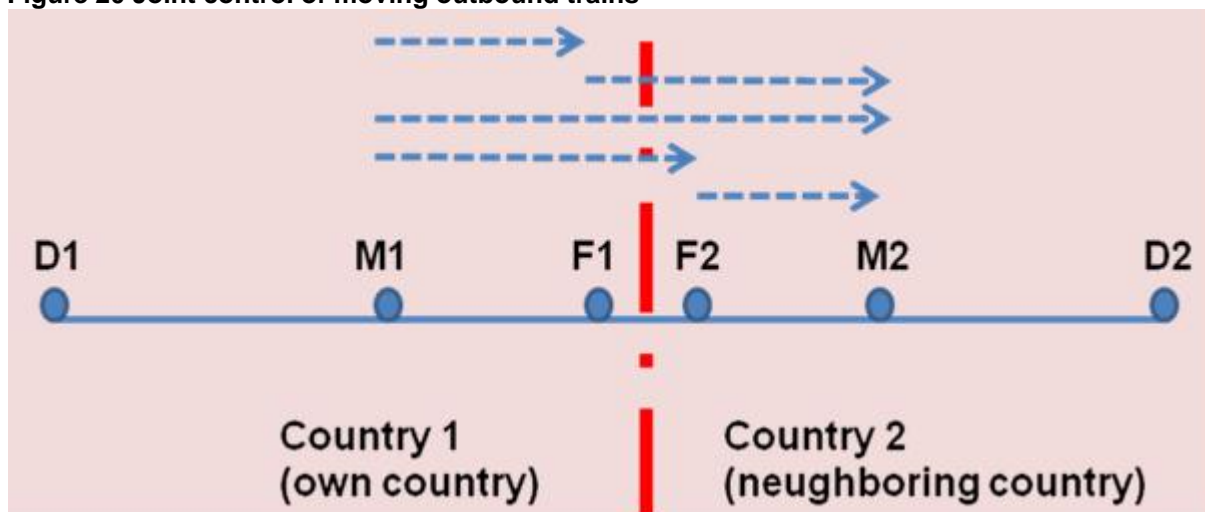


D1 – final destination station for incoming trains; M1 – intermediate station; F1 – frontier station (BCP); F2 – frontier station (BCP); M2 – intermediate station; D2 – initial departure station

When train movement time between stations F1 and F2 is not sufficient for border checks, longer railway segments can be chosen: M2►F2, M2►F1, M2►M1, F2►M1 and F1►M1 for incoming trains (Figure 19), M1►F1, M1►F2, M1►M2, F1►M2 and F2►M2- for outgoing trains (Figure 20).

In case of joint border checks in stationary trains at frontier railway station F1, distance between border and F1 should be short, otherwise it could be complicated for officers from neighbouring country to reach inland location F1 at the beginning of the shift and to come back, as the beginning and the end of shifts not always can be adjusted to trains schedules. The same is applicable for joint control at frontier railway station F2 in neighbouring country.

Figure 20 Joint control of moving outbound trains



D1 – initial departure station for outbound trains; M1 – intermediate station; F1 – frontier station (BCP); F2 – frontier station (BCP); M2 – intermediate station; D2 – final destination station for outbound trains

In case of control of incoming trains at station F1, persons who are refused entry to the territory of country 1 should be disembarked and returned to the neighbouring country 2. Persons refused entry should be accompanied by the officers until leaving country 1. In this respect, a better solution is to conduct joint checks of incoming trains at frontier railway station F2 before entering country 1 and outbound trains at frontier railway station F1 before entering country 2. However, such juxtaposed control scheme, recommendable for joint control at road BCP, is not always suitable for railway BCP, as require to split the officers shift into two parts for work on at frontier stations F1 and F2 (in case of performing border checks only at one stations the same officers can be used for incoming and outbound trains as trains usually are not arriving so often).

Therefore, possibilities to introduce joint control of passenger trains should be considered for each specific BCP and even for concrete trains at the same BCP, taking into account trains schedules, type of train, distances between station D1, M1, F1, F2, M2, D2, number intermediate stations and other abovementioned factors and conditions.

4.2 FREIGHT TRAINS CONTROL

Rail freight is most economic when freight is being carried in bulk and over long distances, but is less suited to short distances and small loads. Therefore, subjects for border checks mostly are wagons with bulk goods and wood, liquid fuel cisterns and containers with different type of goods. Specificity of handled loads determines applicable control methods.

4.2.1 Border checks at the national sides

The main security tasks of border agencies at the frontier railway station are to prevent transportation of hidden people in wagons and inclusions of illegal goods in the cargo.

As an example, here is presented a workflow of newly built railway BCP Kena at Lithuanian border with Belarus (Figure 21).

It was agreed with railway administration that a freight train stops for border checks at Kena railway station for 40 minutes. The railway station administration provides the border agencies (customs, border guards, veterinary and phyto-sanitary services) with a train handover list two hours prior to train's arrival at the frontier railway station Gudogay at the Belarusian side. A train handover list contains data about each wagon: wagon number or container code, bill of loading number, departure and destination stations, name of cargo, weight, and seal number. Basing on the data provided and

related risk indicators, wagons are selected for X-ray screening. Selection is done jointly by border guards and customs officers. The scanning facilities are located at the inbound railroad tracks.

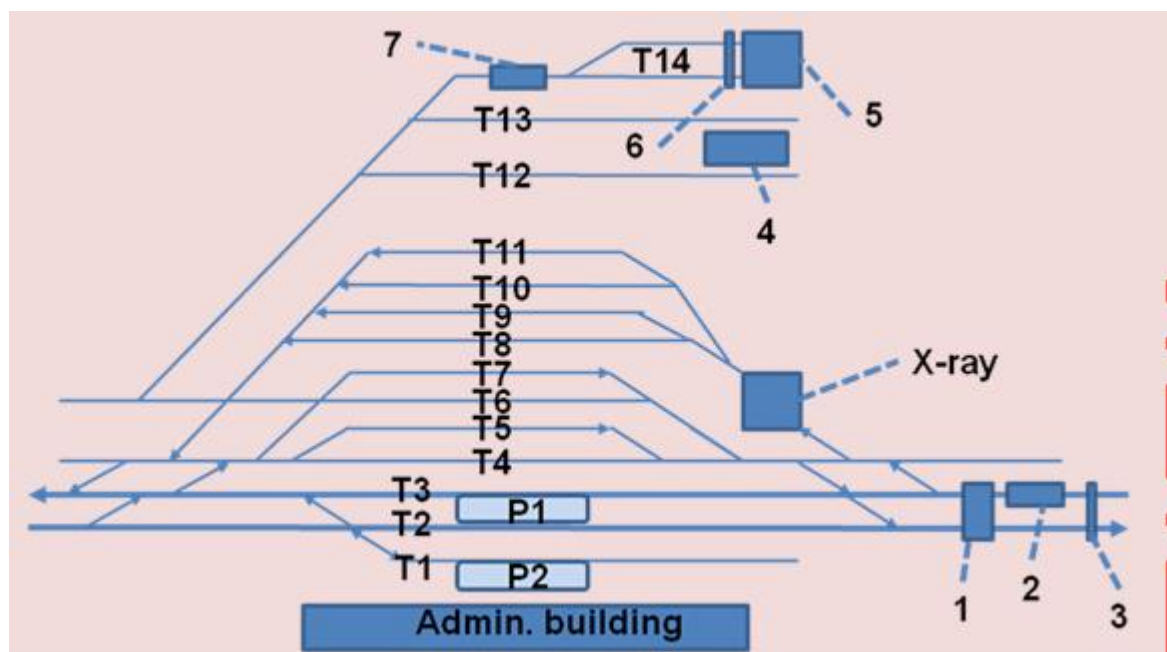
The scanning system distinguishes wagons from the locomotive, so scanning of locomotives and exposure of drivers are excluded. In addition, the system can provide only targeted screening of wagons selected by the system operator. A train has to run through the X-ray gates at the speed of 10-20 km/hr. Basing on scanned images analysis, further decision on the scope and thoroughness of inspection is done. Scanned images are also sent to inland customs post Vaidotai.

After passing the scanning facilities a train is directed to one of sidelines T8-T11 for further physical visual inspection of wagons exteriors and interiors. Where possible, inspection is done jointly by representatives of border agencies and railway station administration. If necessary, wagons can be disconnected from the train and directed to sidelines T14 for detailed examination that can include reloading of cargoes. Detailed veterinary and phyto-sanitary inspection of cargoes can be conducted at sidelines T12, T13.

Dynamic weighing scales are situated at the line T3. If there is a need for more exact weighing, the load can be directed to static scales at the sideline T14. Both scales are operated by railway station administration.

Container code recognition system is installed following the CSI project (Container Security Initiative), which was implemented between some EU countries and USA. However, container numbers captured by the system are not used directly in cargo processing at the BCP. In the opinion of some local experts, the system is to some extent redundant as container number is included in the information provided by railway administration to customs in advance and can be used for risk analysis.

Figure 21 Simplified scheme of Kena railway BCP



1 – Radiation monitoring equipment; 2 – Dynamic weighing scales; 3 – Container code recognition; 4 – Veterinary and phyto-sanitary control facilities; 5 – Cargo terminal; 6 – Crane for reloading; 7 – Static weighing scales; P1- Platform for international passenger trains; P2 - Platform for domestic passenger trains; T1 – Siding road for passenger trains; T2, T3 – Main railroad lines; (T4-T7) – Siding roads for outbound train control; (T8-T11) – Siding roads for inbound train control; T12, T13 – Siding roads for veterinary and phyto-sanitary control posts; T14 - Siding roads for detailed examination

Kena customs post cooperate closely with the customs post in inland railway station Vaidotai, where trains are sorted out and formed for further cargoes distribution. Usually, Kena customs post is dealing with transit procedures, whereas import procedures are accomplished at Vaidotai inland customs post.

The similar workflow principles are defined for Russian railway BCP: 1) one hour before train arrival the border agencies receive information from a train transmission list provided by the railway administration of adjacent country; 2) joint actions of controlling authorities are coordinated by border guards; 3) cooperation and interaction of border agencies with railway station administration⁴⁵.

If the border railway station is used only for border crossing related control, it is essential that the shortest possible time must elapse between the arrival of a freight train at the station and its departure. Customs clearance on imports and export procedures can be transferred to an inland hub station and coincided with reloading, e.g., for further road transportation, or sorting out of wagons at marshalling yards. Some detailed examinations of cargo, especially with reloading, can be also done at the inland railway station, where cranes and other technical capacities for reloading are available. In these cases customs procedures coincide with railway operations and do not require extra time prolonging delivery of goods.

4.2.2 Cross-border cooperation

Cooperation with border agencies on the other side of the border on cargo traffic management issues is rather limited. In accordance with local staff opinion, there is no need for expansion of direct contacts as there are close interaction and information sharing between railway administrations.

There are no joint controls of freight trains in the ND area.

There is an idea to use one X-ray scanner for operational needs of border agencies on both sides of the border sharing scanned images. Given the expensiveness of X-ray equipment his idea is worth further consideration and development.

As mentioned above, scanned images from Kena frontier station are also transmitted to inland customs post Vaidotai, both posts have identical information for their work. In the same way scanned images could be transferred to border agencies at the frontier railway station in adjacent country without significant technical problems.

⁴⁵ Typical Control Scheme of Persons, Vehicles, Cargoes, Goods and Animals Crossing the State Border of Russian Federation in Railway Border Crossing Points, approved by the Russian Ministry of Transport, Order № 31 on 9 February 2010

5. ANALYSIS OF INTEGRATED ICT SYSTEMS

5.1 SELECTED STATEMENTS

Information Communication Technology (ICT) has matured to an important tool box to facilitate trade and transport around the globe. Selected statements confirm the actual need of ICT in the sector; additionally the need of close cooperation between public agencies has also been noted:

“Information technologies are generally perceived as trade facilitation “enablers”, as they simplify and speed up trade data processing⁴⁶”

“Information sharing is a key component for successful supply chains. It provides the basis for the controlling of logistics-related operations and for seamless supply chain integration⁴⁷”

“Different law enforcement agencies operating on the same side of the border (e.g. customs, immigration and border police) can have a tendency to focus their efforts on their core mandates and can often be reluctant to share information or to cooperate with one another⁴⁸”

5.2 APPROACH TO THE CHAPTER

5.2.1 Scope of IBM - ICT

This Chapter focuses on ICT experiences and requirements related to border management. The analysis presented comprises updated information from international agencies, the EU and the NDPTL collected during desk research and in numerous meetings held. Contributions are presented by referring to international and EU relevant decisions and selected activities. This allows drawing a baseline against which arguments and activities of the NDPTL member states can be analysed and compared.

By definition IBM focuses on services active at the state borders; however, a trend is observed whereby logistics and security requirements in transportation of goods and persons cover an ever increasing stretch of the entire transport chain different for the transportation of goods and persons:

- a) Goods transportation includes transportation from the place of origin/production to the place of consumption;
- b) Human transportation includes transportation from the location of booking a ticket until the final destination of the travel.

IBM represents a fairly limited – however important – aspect within the complete transport chain and its logistics and security challenges. Furthermore, IBM is dominated by law enforcing agencies. Main agencies active at the borders are customs and border police/border guards⁴⁹. Therefore the contributions below reflect activities and data exchange among the main players at the borders.

The previous *Study on Common Border Crossings Points Management between Schengen Area and Russia / Belarus* contains detailed descriptions, observations and recommendations on the subject border crossing points (BCP). This Chapter is therefore limited to updated information focusing on ICT solutions ICT as collected in the course of the model development presented in this Study.

5.2.2 Regional and international joint approach

Among the latest EU engagement focusing on border management is the support package for the EU's Eastern Neighbourhood helping to improve security, boost trade and increase mobility for people

⁴⁶ Regional Trade Agreements, UNCTAD 2011, p.

⁴⁷ Tapaninen et al. 2010, in: *E-PORT Improving the efficiency of Finnish ports with intelligent systems*, Final report of the Mobile Port project; Centre for Maritime Studies, University of Turku, A 58, 2012 p. 11

⁴⁸ Border controls and law enforcement cooperation, UN Coordinating Action on Small Arms (UN CASA), 27.08.2012 p. vi

⁴⁹ There is a concentration process ongoing whereby customs and border police are taking over certain tasks of other agencies at the border crossing point. Results are experienced as a potential contribution to efficiency raising in border management

living in the region by implementing border management rules and adopting best practices in line with EU standards⁵⁰.

Numerous international recommendations are available describing ways and means of enhanced trade and transport by maintaining the required security level and exchanging data along the transport chain. Among these are the United Nations (UN CEFACT and UNECE) published recommendations no 33, 34, and 35 on: *Establishing the Single Window (SW), Data Simplification and Standardization for International Trade, and Establishing a Legal Framework for International Trade Single Window*.

The WCO is particularly active in rendering support to formulating international conventions and implementing these globally.

The EU engagement focusing on border management is in line with these international activities. This combined effort, jointly with further international financing institutions (Ifis), supports the growth and merging process of national data warehouses to complex regional data networks.

5.3 BALANCING BETWEEN RISK AND EFFICIENCY MEASURES ON EU AND INTERNATIONAL LEVEL

Balancing between risk and efficiency in trade and transport is among the most critical issues for successful development in an ever increasing global market. Therefore, Ifis are closely engaged in the need to find the right balance between risk and efficiency along transport corridors. EC and EU MS, jointly with UN and the WCO, are specifically engaged in defining the balancing in the East West trade and transport, and are presently involved in serious negotiations with numerous countries to come to mutual conclusions.

It is regarded essential for the ND MS to follow this internationally accepted track as summarized hereunder.

ICT provides a tool box to address both risk and efficiency at the same time functioning cross border – on the prerequisite that a harmonized approach is being followed. The dimension of this critical issue is presented hereunder by selecting some highlights referring to the need of ICT based exchange globally, and among the EU MS and the neighbouring countries concerned. Activities in place are based on EU law and international agreements concluded already.

It is this above approach the UN and the EU follow in the Region facilitating growing trade and transport across open and secure borders.

The EU has extensive external borders with over 1.800 border crossings. Every year approximately 700 million persons cross those borders either via land, sea or air. These numbers are expected to increase substantially⁵¹. Further more global trade is ever increasing resulting in partially extensive queuing at the borders.

Implementation of digital information exchange as a means of both risk reduction and efficiency enhancement is often reflected in regional trade agreements (RTA) as supported by the World Trade Organisation (WTO) and related UN bodies⁵². It is therefore recommendable that UN activities and requirements to be observed by ND MS as listed hereunder, i.e.:

UNCTAD has found that, “the majority of RTAs call upon the use of

- a) information and communication technology;
- b) simplification of customs procedures;
- c) harmonization of customs procedures with international standards (in particular those of the Customs Cooperation Council/World Customs Organization) (CCC-WCO);
- d) promotion of cooperation, between both customs and other national authorities, as well as Customs and trading communities.

⁵⁰ *New EU funding to improve border management and regional cooperation in the Eastern Partnership*, EU Press release, 25 September 2012

⁵¹ *EOS Recommendations for an Integrated Surveillance of the EU Maritime Domain*, June 2012 p 14
Within the EOS there is linkage to the land borders, see ibid.

⁵² *Trade Facilitation in Regional Trade Agreements UNCTAD*, 2011, p. 11ff.

In particular exchange information on best practices relating to trade and transport, focusing on customs procedures, enforcement and risk management techniques with the exception of confidential information⁵³. RTAs often contain substantial and detailed information exchange among partners including:

- Customs legislation and procedures;
 - the name and address of the importer, exporter, manufacturer, buyer, vendor, broker, or transporter;
- shipping information relating to container number, size, port of loading before arrival;
- destination port after departure;
- name of vessel and carrier;
- the country of origin;
- place of export;
- mode of transportation;
- port of entry of the goods:
 - cargo description as classification number, quantity, unit of measure, declared value, and tariff treatment;
- new enforcement techniques proven to be effective, and new trends;
- means or methods of committing violation or attempted violation of customs laws;
- goods known to be associated with the violation or attempted violation of customs laws, as well as transport⁵⁴.

The border authorities of the ND MS play a crucial role both in the efficiency of trade and transport as well as in the fight against cross-border crime. Therefore it is of the utmost importance that there is developed cooperation between both EU MS' customs authorities, and the EC as well as between these parties and other competent authorities, including those in third countries, especially those neighbouring the European Union, and, finally with relevant international organisations.

The WCO supports the model of the *Globally Network Customs* (GNC). In its 10 building blocks the GNC is focusing on the need for communication Customs – Customs & Customs – Business. Communication is ICT based⁵⁵.

This kind of data exchange is regarded essential to supporting security and efficiency in international trade and transport.

The EC Council operates numerous working parties to prepare and follow-up detailed EU relevant issues in order to ensure risks are properly addressed and reduced as much as possible, and at the same time to enhancing efficiency through cooperation among MS and partner countries.

This ICT supported procedure is needed to identify and follow-up relevant political decisions.

Before the EU MS ministers assemble, the meetings are prepared in more than 150 working parties and committees. These committees are comprised of officials from the 27 MS and are highly specialised, dealing with a number of issues. Risk and efficiency related issues are among the tasks of the working groups as summarized below:

- Risk management and efficiency improvement focusing on trade and transport is of particular importance due to observations made in the NDPTL Region⁵⁶. In the Region the development of customs declaration processing systems makes provision for traders to submit declarations and other required documents electronically. Electronic data systems that are used ensure

⁵³ Ibid. see: **ASEAN–Republic of Korea FTA**, Annex, Economic Cooperation, Article 1, Customs Procedures

⁵⁴ Ibid. Box 2: Illustrative list of areas of cooperation and exchange of information based on the measures contained in different RTAs

⁵⁵ Globally Networked Customs : *Concept, Key elements & Goals*; WCO Forum Istanbul 6-7 October, 2010. Enhanced Connectivity ranks among the strategic values of the GNC concept: *The 'connectivity' between individual WCO Members through automated systems at the technical level, in the international realm, can be significantly enhanced through this common and 'scaled up' global approach*; see: WCO Globally Networked Customs Strategic Value

⁵⁶ Confirmed during interviews held by the Consultant.

that information is to be submitted only once and is stored and used for customs purposes. IT systems are in place allowing exchange of information between customs, other customs administrations and all the relevant authorities⁵⁷. However, this potential is not fully exploited between MS and Eastern neighbours customs administrations and other agencies.

- Data exchange through IT systems is based on international standards, such as the WCO data model, and in accordance with the regulations on data protection.
- Customs fraud through undervaluation is among often observed illegal activities⁵⁸. It is therefore that risk assessment and selectivity procedures deserve special attention. Prior to the goods arriving at the BCP risk related information is required for subsequent decisions to be made.
- Based on experience both the public and private sector stakeholders are discussing ways and means of reducing the risks⁵⁹. Acting against such risks the need of enhanced *Advance Data Risk Management* on a global basis is seen necessary for assessing risks along the entire transport chain prior to loading. Related advance information is needed at the BCP. Further, third countries' *Authorized Economic Operators* (AEO), the *Unique Global Trader Identification Number* as well as amending existing ICT are subject of present discussions which refers to but goes well beyond the NDPTL Region.
- The EU is focusing on ways and means of reducing intra- EU and cross-border production, cultivation, importation, exportation, trafficking, distribution and sale of illicit drugs, the facilitation of such activities as well as the diversion of precursors and pre-precursors. They also effectively respond to the evolving trends in the supply of drugs through the use of new technology. This will be achieved by improving exchange of information, knowledge and best practices as well as by collaboration among MS, relevant bodies, such as *TAXUD*, *Home Affairs*, *OLAF*, *Europol*, *Eurojust*, and *CEPOL* and through the full exploitation of existing instruments, such as Joint Investigation Teams, Joint Customs and Police Operations, the *EMPACT* projects, Liaison Officer Platforms, *MAOC-N* and *CeCLAD-M*⁶⁰.

The need of common information sharing is undisputed. The EU MS and the European Economic Area (EEA) MS⁶¹ have agreed to obtain advanced electronic data concerning all goods entering and leaving the EU customs territory in order to enable a pre-assessment of the safety and security of goods⁶². Furthermore, the EC is now working on two new initiatives: the Surveillance of the EU external land and maritime borders via the *European External Border Surveillance System (EUROSUR)* programme, and the *Smart Border* package, including the *Entry / Exit System* and the *Registered Traveller Programme*⁶³.

- The *Pruem* Decisions mandate the exchange of DNA⁶⁴, fingerprint and vehicle registration data (VRD) amongst MS. The decisions also permit the exchange of personal data for the prevention of terrorist offences and joint operations by police forces of different MS.⁶⁵

⁵⁷ In compliance with the EU views as laid down in *Customs Blueprints* p. 33. Customs Blueprints are used as guidelines in international cooperation.

⁵⁸ Oral information by Taxud, 08 October 2012

⁵⁹ Topics for discussion at the next CLECAT conference on 29 November 2012 are: Cargo theft from lorries in the EU is estimated to cost over €8 billion per year. What initiatives can be taken by the EU to reduce this without impeding trade? How to ensure that supply chain security does not come at the expense of trade facilitation? How to design and implement security measures with a minimum impact on global trade/commerce? Mutual recognition of security systems at international level: what does it entail and what can industry gain from it? Should risk management for border protection purposes be separated from risk management for other customs and tax related purposes?

⁶⁰ Draft EU Drugs Strategy (2013-2020), 20 July 2012

⁶¹ European Economic Area (EEA) comprises the countries of the European Union (EU), plus Iceland, Liechtenstein and Norway.

⁶² *Integrating Maritime Surveillance Communication from the Commission to the Council and the European Parliament on a Draft Roadmap towards establishing the Common Information Sharing Environment for the surveillance of the EU maritime domain COM(2010) 584 final*

⁶³ *EOS Recommendations for an Integrated Surveillance of the EU Maritime Domain, June 2012* p. 14.

⁶⁴ Links between sea and shore are demonstrated in *Integrating Maritime Surveillance*, *ibid.* p. 14

⁶⁴ Deoxyribonucleic Acid; containing the genetic instructions of a living organism. DNA analysis helps in identification processes

⁶⁵ 26 August 2011 marked the date by which every EU Member State should have finished making the legal and technical changes required by the Decision. Council Decision 2008/615/JHA of 23 June 2008 on the stepping up of cross border cooperation, particularly in combating terrorism and cross border crime and Council Decision 2008/616/JHA on the implementation of Decision 2008/615/JHA

- The EU *Schengen Information System (SIS)* in place is under constant review and the EC strives for improvement. A recent analysis executed by the EC revealed that most participating Schengen States must still invest in cooperation procedures in the area of law enforcement at national level to ensure that all conditions are in place allowing certain alert to be made⁶⁶. Within the SIS the *Supplementary Information Request at the National Entries (SIRENE)* is in use by the MS. There are monthly working group meetings in order to smoothen the up-grade of the SIS to SIS II. Updates have been executed⁶⁷. Information exchange on particular alerts is being practiced⁶⁸. It is expected that SIS II shall go live in 2013⁶⁹.
- The EC supports establishing the EUROSUR and the creation of the so-called “smart borders package”, which includes the establishment of an Entry-Exit System (EES); and the creation of a Registered Traveller Programme (RTP). EUROSUR will provide improved surveillance of the EU’s sea and land borders using new technologies. The EES would record the movement of people into and out of the Schengen area and extend biometric ID checks to all non-EU nationals. This system would also include the use of automated border gates, which are already installed in some European airports⁷⁰.
- The *EU e-Customs Project* supports risk reduction and efficiency rise at the same time. The project identifies main aims:
 - limitation of customs charges
 - combating fraud, organised crime and terrorism
 - enhancement of goods and trade safety
 - elimination of paper documents
 - standardisation of functioning customs offices
 - protection of intellectual property rights and national cultural heritage
 - seamless flow of data between nations of exporter and importer.

With a view to the EU *Customs Code* TAXUD informs: The main building block of customs security at EU level in both legislative and practical terms is the ‘*Safety and Security Amendment*’ to the community Customs Code. The amendment aims to ensure an equivalent level of protection through customs controls for all goods brought into or out of the EU’s customs territory. The amendment covers four major changes to the Customs Code:

- Requiring traders to provide customs authorities with information on goods prior to import to or export from the European Union;
- Providing reliable traders with trade facilitation measures (AEO);
- Introducing uniform Community risk-selection criteria for controls, supported by computerised systems for goods brought into, or out of, the EU customs territory;
- Introducing a Community data base allowing the consultation of all national registration numbers, i. e. the *Economic Operators Registration and Identification Number (EORI)*.

In order

- Not to delay consignments by pending risk analysis results, and
- to allow carriers to concentrate all the information in a single customs office instead of several ones,
- the safety and security risk analysis will be carried out before the arrival of the goods in the EU⁷¹.

All above activities require urgent and on-time follow-up and subsequent information exchange. This is being achieved through a wide and sophisticated ICT net⁷².

⁶⁶ Report of the Schengen Joint Supervisory Authority on the follow-up of the recommendations concerning the use of Article 99 alerts in the Schengen Information System, 19 September 2012, p. 5

⁶⁷ October 10 -12, 2012 - (Limassol, Cyprus, Heads of SIRENE

⁶⁸ Project countries as Estonia, Finland, Latvia, Lithuania, and Poland have participated in an analysis of special risk alerts (Alerts on Art 99 of the Schengen Code)

⁶⁹ All challenges encountered during final testing phases were addressed successfully, allowing the SIS II project to remain on track for the planned go-live in the first quarter of 2013: Progress Report of the Development of the 2nd Generation Schengen Information System, Council of the European Union, 19 October 2012 p. 13

⁷⁰ Borderline; *The EU's New Border Surveillance Initiatives*; Heinrich Böll Stiftung, June 2012t

⁷¹ Taxud: Security Amendment

The EC is actively supporting Eastern Partners in that development⁷³. This includes the information exchange cross border prior to arrival of the goods within the Program *Eastern Partnership*⁷⁴. During a seminar this need of information exchange across borders was discussed among parties concerned⁷⁵. The interim finding:

- As a result of the above the practice of disseminating information well before the physical arrival of goods and persons at the border is globally in place for the maritime and air borne transport sectors. International conventions transferred into national law are implemented, and international monitoring is being done on UN level. Subsequently technical solutions for maritime and airborne transport are in place and managed routinely. This practice supports risk management and efficiency through speedy processing at the same time. As for other modes of transport gaps are still open.

The EU and the NDPTL members are proactive in trade and transport facilitation (TTF) on secure grounds. DG Move is closely engaged in TTF projects within the EU and in the neighbouring countries. The *Roadmap on Transport Development*⁷⁶ clearly addresses the future highlights by developing and exploiting transport and infrastructure more efficiently through use of improved traffic management and information systems for all modes of transport interdependent to each other. These include deployment of modernised land and waterborne transport management systems, and the deployment of the *European Global Navigation Satellite System (Galileo)*⁷⁷. The EU program *Motorways of the Sea* supports to integrating maritime transport with other transport modes to be part of the *Trans European Transport Network (TEN-T)*.

Further political ambitions are to ascertain advanced logistics and market measures such as full development of an integrated European railway market, removal of restrictions on cabotage, abolition of barriers to short sea shipping, undistorted pricing, etc.

Transport users pay for the full costs of transport in exchange for less congestion, more information, better service and more safety⁷⁸.

⁷² Taxud informs: In order to ensure the equal level of protection to the Community and its citizens through appropriate risk-based control measures the *Import Control System (ICS)* was implemented, and *Export Control System (ECS)* and the transit data exchange system of the *New Computerised Transit System (NCTS)* were upgraded. Relevant security data has to be provided before the goods enter or leave the Community customs territory. The security data has to be sent electronically by economic operators with the possibility of exchanging this information with Member States administrations. Since 1 January 2011 the advance declaration is obligatory for traders. If from 1 January 2011 goods were not declared in advance or – in other words – if safety and security data were not sent in advance, then goods have to be declared immediately on arrival at the border, which can delay the customs clearance of consignments at the border pending the results of risk analysis for safety and security purposes.

⁷³ The EU strategy document states: "Prepare for future implementation of actions proposed under the EaP initiatives and as part of the Strategic Frameworks for customs cooperation between the EU and its Eastern neighbours (future extension of common transit system, improvement of border control, exchange of information, capacity building, Early Warning Mechanism); see *Decision C(2012)732 of 14 February 2012 related to the AWP 2012 for the implementation of the Customs 2013 Program, Strategic Framework of the AWP 2012 p. 11*

⁷⁴ Example: Integrated border management pilot project "*Support for the creation of an electronic system of pre-arrival information exchange between the customs authorities of the Republic of Belarus and Ukraine*"; CRIS: ENPI/2012/023-795 .

⁷⁵ The customs services of Belarus and Ukraine are testing a system to exchange advance information as a pilot project, Mr Igor Kaletnik, Head of the State Customs Service of Ukraine, told the high-level seminar on cooperation between the Customs Union member states and the Eastern Partnership Initiative countries in Kyiv on 11 October, October 12, 2012, BNews .

⁷⁶ *Roadmap to a Single European Transport Area - Towards a Competitive and Resource Efficient Transport System, White Paper 2011*

⁷⁷ Selected systems and services: ITS: Intelligent Transport Systems and Services for Europe; ERTMS: European Railways Traffic Management System; SSN: Safe Sea Net; RIS: River Information Services

⁷⁸ DG Move, White Paper p. 6

Information exchange on persons, goods, packages (containers) and vehicles (vessels and aircraft) is routinely practiced based on internal conventions⁷⁹ for aviation and maritime transport.

In the context of road and rail transport across border achievements and experience gained in the maritime⁸⁰ and aviation sector appear worth studying closer with a view of exploiting these advanced settings and amending road and rail transport legal and technical issues where applicable.

The need of linking data exchange along transport corridors is well understood by the stakeholders in the Region and internationally⁸¹, yet, it is not practised entirely.

The practice of linking data through possibly combined satellite and terrestrial Automatic Identification System (AIS)⁸² with seaports, authorities and the private logistics service providers is in place. The EU is amidst the process of launching the GALILEO satellite system to be exploited, e. g., as a global tracking and tracing system for all modes of transport⁸³.

However, the present state still requires forwarding of information electronically to and cross borders; this needs to be supported in the Region where feasible.

In order to minimise the risks related to border management and to contribute to open and secure borders ICT provides a proven set of instruments operated in a harmonized way.

In the following latest information collected from the regional members (NDPTL) is summarised. Information presented below has been provided by the partner country through questionnaires answered and internet information. This explains some different level of detailed information.

The table below summarizes feed back as received from the stakeholders and other sources as identified in the full text, given in Appendix C of the Study. The overview of the respective country's stage of development concerning IBM-ICT includes information on the rank of e-government and the rank on trading across borders. Both subjects are being followed in some detail by the UN and the World Bank and are published regularly. The rank in e-government reveals the present situation of the country overall including border agencies and the private e-sector to some extent. While rank in trading across border is more informative on the facilitation the country has provided to the logistics sector. The latter appears of certain interest as it mirrors mainly government institutions engaged in trade and transport and the time and costing of trade and transport. Details can be followed in the subject Report as indicated.

It has been noted that in all countries concerned there is a vivid movement towards further streamlining electronic data exchange and linking institutions to various data networks in place/under development. In so far some of the information given hereunder may be overridden by the time of distributing this Report.

Table 3 IBM-ICT development by country - summary

⁷⁹ ICAO and IMO have set standards of information exchange.

⁸⁰ The information system *PortNet* is seen as a potential example where already public and private agencies operate through a Single Window (SW) successfully.

⁸¹ This need is understood globally, i. a.: ASEAN states are following this approach to improving efficiency across border at reduced risks. Information exchange, see: *SAFSA Global Forum 2012 ASEAN Single Window and National Single Windows*, Phnom Penh, Cambodia 1 Oct 2012

⁸² AIS is an automatic tracking system used on ships and by vessel traffic services (VTS) for identifying and locating vessels by electronically exchanging data with other nearby ships and AIS Base stations.

⁸³ The Galileo programme is Europe's initiative for a state-of-the-art *Global Navigational Satellite System* (GNSS), providing a highly accurate, guaranteed global positioning service under civilian control. The fully deployed system will consist of 30 satellites and the associated ground infrastructure. Galileo will be inter-operable with GPS and GLONASS, the two other global satellite navigation systems. It provides various applications including tracking and tracing for all modes of transport

Country	Rank e-government	Rank trading across border	Short comments on e-services: Single Window	Short comments on e-services: AEO
Belarus	61	152	E-services include SW linked to main government agencies and customs & border guards stated interest to exchange electronic information cross border with ND MS; member of CU	Linked to AEO
Estonia	20	7	Participant to relevant EU data exchange, i. a.: <i>Smart Borders, EEC, Baltic Sea Regional Border Control; ANPR</i> in use. <i>API</i> considered for bus and train pax. SW in operation at maritime administration. Cooperation with Russia practiced by using <i>Speed</i> and <i>Go-Swift</i> platform. Customs & border guards stated interest to exchange electronic information cross border with ND MS based on safe and secure data handling	AEO concept in place under further development in cooperation with Russia
Finland	9	6	Participant to relevant EU data exchange, i. a.: <i>Smart Borders, EEC, Baltic Sea Regional Border Control; ANPR</i> in use.. SW in operation at maritime administration linked to road and rail. Cooperation with Russia practiced by using <i>Smart Corridor</i> and <i>Port Connect</i> platform. Customs, border guards and Ministry of Transport & Communications expect safe and secure data handling with Eastern ND MS	AEO concept in place under further development
Latvia	42	15	Participant to relevant EU data exchange, i. a.: <i>Smart Borders, EEC, Baltic Sea Regional Border Control; ANPR</i> in use to be extended for use by the national agencies. SW under development. Cooperation with Russia started	AEO concept in place under further development.
Lithuania	29	24	Participant to relevant EU data exchange, i. a.: <i>Smart Borders, EEC, Baltic Sea Regional Border Control; ANPR</i> in use to be extended for use by other national agencies. SW under development. Cooperation with Russia started by using the <i>Speed</i> platform. Extended cooperation with both Russia and Belarus should be based on safe and secure data handling. Cooperation agreement with Belarus for exceptional situations is in place to be negotiated with Russia as well. <i>GoSwift</i> model of Estonia is to be implemented in Lithuania as well.	AEO concept in place, under further development.
Norway	8	9	Participant to relevant EU data exchange, i. a.: <i>Smart Borders, EEC, Baltic Sea Regional Border Control; ANPR</i> in use. Norway may participate in the WCO-GNC model SW in operation at maritime administration. Customs expect safe and secure data handling with Eastern ND MS	AEO concept in place under further development.

Country	Rank e-government	Rank trading across border	Short comments on e-services: Single Window	Short comments on e-services: AEO
Poland	47	46	Participant to relevant EU data exchange, i. a.: <i>Smart Borders, EEC, Baltic Sea Regional Border Control</i> ; ANPR in use to be extended for use by other national agencies. SW under further development. Cooperation with Russia and Belarus exists. Extended cooperation with both Russia and Belarus should be based on safe and secure data handling. <i>GoSwift</i> model of Estonia appears interesting for Poland as well.	AEO concept in place, under further development.
Russia	27	162	E-services include SW linked to main government agencies; Russian border authorities have become active in building the CU by ICT links and modern management facilities. Whether this development will benefit western ND MS at the BCP needs to be seen. Separate meeting with Russian authorities and the PT on this project has not taken place.	E-services linked to main government agencies and AEO

6. METHODS OF COOPERATION BETWEEN INSTITUTIONS

In this chapter are analysed methods of cooperation between institutions, responsible for development of border facilities and accesses on both national sides.

6.1 COOPERATION BETWEEN NATIONAL INSTITUTIONS ON BCP DEVELOPMENT

In all visited ND countries there are strategies and plans on land BCP development in place. These strategic documents are various in formats and approved on governmental, inter-ministerial levels or interagency levels. Besides setting overall strategic direction, the documents assess needs and define priorities of development:

- 1) The priority actions in Belarus for 2011 - 2015 years are specified in adopted by the Government the Concept and Program of Road BCP Infrastructure Development on the State Border of the Republic of Belarus until 2015, the Program of Railway BCP Development on the State Border of the Republic of Belarus for 2007-2015. Elaborated at present the concept of integrated management of the state border of Belarus will provide an integrated approach to BCP development in terms of procedural aspects and cooperation between agencies;
- 2) In Estonia and Finland a strategic approach towards issues of border management is ensured on the basis of interagency cooperation between border agencies, setting jointly strategic priorities;
- 3) In Latvia a new strategy on integrated border management is under development for approval on the governmental level;
- 4) The Lithuanian Government approved the Border Crossing Points Development Strategy. The Minister of Transport is authorized to prepare and approve (update) this strategy's implementation measures in coordination with the ministries of Finance, Internal Affairs and Foreign Affairs;
- 5) In September 2007 the Polish Government adopted the Program of Integrated Border Management for 2007-2013. The document, among other things, defines the strategy of border management, including the plan for modernization and construction of BCP, and contains the list of relevant investment projects. The program is a continuation of the „Integrated Border Management Strategy for 2003-2005," which included a list of basic tasks of national border management system to European standards;
- 6) Strategic aspects for implementation of the Russian BCP development are defined in the Concept of the Federal Outcome-oriented Program "State Border of the Russian Federation (2012-2020)". In addition, it is worth to mention about the Plan of Measures (Roadmap) on Improving Customs Administration⁸⁴, designed to simplify the procedure for moving goods and vehicles across the customs border of the Customs Union into and from the Russian Federation. The document presents actions with qualitative and quantitative measurements of expected results.

Midterm BCP development strategies (up to 5 years) with 1-2 years action plans concentrated on procedural innovations along with infrastructure improvement should be considered as the best practise.

Strategic documents besides assessment of needs in infrastructure and equipment should be more oriented to institutional, organisational and procedural set-up, having optimisation of procedures and information exchange practises as objectives to achieve and performance indicators rather than investments in infrastructure and equipment. Institutional and organisational set up and control methods determine demands in infrastructure and equipment. If it is the other way round (infrastructure first), then the rest could lead to contradiction with the first⁸⁵.

Strategies and plans should be adjusted to developments in the neighbouring countries at the other side of the external border and even at the same side of the external border. As practise shows, any impediments for traffic flow in one country has immediate effect in increased traffic at the BCP in the neighbouring countries, as carriers are using alternative routes, e.g., closure for reconstruction of Belarusian BCP Grigorovshchina located at the border with Latvia resulted in increase of traffic at the Belarus border with Lithuania and at the Latvian-Russian border.

⁸⁴ Approved by the RF Government on 29 June 2012

⁸⁵ This happened in some Balkan countries and has caused lots of problems: nice and expensive infrastructure was designed and constructed, and then the one stop shop and information exchange called for more streamlined procedures which required changes of infrastructure again.

However, the presented documents in general were developed unilaterally. Some references to the necessity of coordination with neighbouring countries can be found, such as “During the implementation of this concept there will be continued negotiations with neighbouring states to clarify the number, category definition and classification of road BCP”, “BCP infrastructure should be developed in line with BCP development in the neighbouring countries”, without specifically reflecting developments in the adjacent countries and establishment of practical mechanisms of cooperation and adjustment of development strategies. The best option in this respect would be a strategic document jointly elaborated and adopted by respective authorities of both countries covering perspectives of procedural and infrastructural development on both sides of the border.

The significant factor for BCP development is the existence of inter-institutional coordination structures: inter-agency (inter-departmental) steering committees and working groups. All the countries visited reported having such tools.

The Steering Committees usually consist of high-level representatives from border agencies, the ministries of the interior and finance, as well as other ministries and agencies that deal with or are related to cross-border movement, e.g. ministries of transport, agriculture and health. These interagency high-level groups usually meet a few times per year to discuss strategic issues of BCP development and, where necessary, to reconcile institutional interests. E.g., in Poland, the Inter-institutional Board on Planning and Management of the BCP has been operational since 1998.

In addition, Working groups at experts' level are designed to search and explore technical solutions for specific development problems or preparation specific BCP development projects.

A weak point of inter-institutional coordination structures is further implementation of elaborated solutions. Implementation requires regular work, consistent efforts and responsibility for results. A proper executive body or bodies is needed in this respect.

Development and operational functioning of BCP is very dependent on proper construction and maintenance.

There are various institutional setups in the ND countries for these tasks; examples are provided in the table below:

Country	Responsible entities
Belarus	State Customs Committee is responsible for international and interstate BCP, municipalities - for BCP designated for local movement
Latvia	State Real Estate Agency is responsible for development and maintenance of BCP
Lithuania	Border Crossing Points Directorate under the Ministry of Transport
Poland	Under responsibility of province (voivodeship) governors
Russian Federation	Rosgraniitsa is responsible for developing and managing the state property and functions of a federal public contracting authority, rendering of the state services in the area of arrangement of the BCP

Interviewees from the border agencies at many BCP in the countries pointed out the positive role of existence of specialized agency dealing with BCP logistics:

- 1) A neutral third agency eliminates any frictions, debates and misunderstandings between border agencies regarding co-financing, responsibilities and accountability for common use of facilities;
- 2) Heads of customs and border guards units and other services are freed from routine logistics and maintenance issues, can be more concentrated on procedural and operational management.

Taking into account the complexity of tasks, a national agency specializing in BCP design, construction and maintenance could be considered as the best practise. ND countries should strengthen leading role of these national specialized agencies in coordination and interaction of national bodies in BCP development.

Such agency (further – BCP development agency) develops and maintains border crossing facilities infrastructure based on the specifications provided by the authorized border services - Customs Administration, Border Guard, Phytosanitary/food and Veterinary and others.

So the agency does not really intervene into the working methods and the model of border control, but it ensure consistent and coordinated approach towards implementation and development of control models, construction and maintenance based on the requirements and guidelines given by the mentioned bodies. Therefore, proper coordination and interaction tools between the BCP development agency and border control agencies should be in place.

E.g., in Latvia the BCP development agency is authorized by the Ministry of Finance which is given task by the Ministers Cabinet, to chair the expert working group composed of representatives of authorities responsible for the border control and other stakeholders, in order to solve border crossing development issues (State Revenue Service's Customs Administration, State Border Guard, Food and Veterinary Administration, Foreign Ministry, Economy Ministry, Latvian State Road administration). At the same time, the expert working group is responsible for coordination with Rosgranitsa (Federal Agency for Development of the State Border Facilities of the Russian Federation).

The ND countries should strengthen the leading role of these national specialized agencies in coordination of national bodies in BCP development. Coordination should also cover analysis and prognosis regarding the development of traffic flows in the short-to-medium term.

The agency should establish close links with transport and logistics sector for better awareness of the sector demands for integrated transport solutions.

Opportunities to attract private capital investment as one of the alternative sources of financing for BCP development through public-private partnership should be explored as well.

6.2 CROSS-BORDER COOPERATION

6.2.1 Bilateral cooperation on BCP development

International cooperation on BCP development in the ND region has bilateral and multilateral dimensions.

Synchronized actions on both sides of border are needed not only in daily operations of the border agencies at the BCP, but also in terms of BCP construction and development to achieve common goals of borders without queues. A BCP throughput increase on one side of the border is not effective if there is lack of identical capacity on the other side. However implementation of these widely recognized postulates is not easy in practice.

As a rule, in the ND countries working groups for BCP development are used as coordination and cooperation tools on the BCP development issues in the frame of intergovernmental committee (commission) for a broader range of cooperation fields. The following bilateral setups can be mentioned as examples:

- 1) In the frame of the Polish-Belarusian International Commission for Coordination of Cross-border Cooperation, the subcommittee on border crossings and infrastructure issues works already for many years;
- 2) Working Group on the BCP was set up in June 2011 on the decision of the Intergovernmental Commission on Economic, Scientific, Technical, Humanitarian and Cultural Cooperation between Russia and Latvia;
- 3) In the frame of the Polish-Russian Council for Cooperation of the Regions of the Republic of Poland with Kaliningrad Region of the Russian Federation, the committee on border crossings issues also works already for many years.

However such type of cooperation on the basis of working groups, despite being supplementary to high level political format, has some limitations: usually meetings are convened only 1-2 times per year, agenda of meetings mostly is limited to exchange of information about situation and actions undertaken by national authorities. Members of working groups cannot make any decisions or assume any specific commitments on behalf of their institutions other than general declarations.

Such committees are supported by mechanism of the border delegate which provides continuous cooperation on practical issues in BCP's. However, there can be held works for elaboration of more flexible, complimentary tools with higher coordinating capacities responding to the practical needs.

It is worth to mention in this respect about auditing of the Russian and Estonian BCP by auditors authorities of both countries in 2010-2011.

The parallel audits were carried out by the Estonian National Audit Office and the Accounts Chamber of the Russian Federation. The Estonian National Audit Office only assessed the situation in Estonia and the Accounts Chamber of the Russian Federation did the same in its country; both prepared separate reports about their countries. Afterwards the results and conclusions were compiled into the Joint Information Report, presented in Ivangorod in March 2012. Despite work being done separately by the evaluation teams of both countries, combined findings allow to create an overall picture about the situation at Estonian-Russian border.

Similarly, in September 2011 joint monitoring of the BCP at Russian-Latvian border was conducted. The produced results of the joint monitoring were based on performance measurements agreed in advance that characterize the capacity of BCP. The final document of the monitoring presented specific proposals with solutions for the governments of both countries.

Broader proactive involvement of agencies responsible for BCP development (e.g., Rosgranitsa and its partners on the other side of the border) in bilateral adjustments of national development strategies would be mutually beneficial.

It was noted by Latvian experts that the Agreement signed in 2010 between the Rosgranitsa, the State Revenue Service of Latvia and the State Border Guard of Latvia on cooperation in resettlement of the BCP at the Russian-Latvian border largely supports active engagement and synchronization plans of the agencies to ensure functioning of BCP.

Similarly, the Lithuanian Border crossing points Directorate under the Ministry of Transport and Kaliningrad Territorial Board of Rosgranitsa signed in October 2012 the agreement on interoperability and information exchange on BCP constructions and development in order to achieve closer co-operation, exchange of information and coordination of the BCP development plans at Lithuanian - Russian border.

Further improvement of cooperation on BCP development should be directed from information exchange about planned BCP development towards joint exercises on elaboration of strategies and plans, joint design of specific BCP construction or reconstructions. Even if, rearrangements are needed and planned on the one side of the border, experts from other side should be invited for participation.

Furthermore, cooperation on BCP development should be broadened, besides constructional and infrastructural issues, embracing common procedural and operational settings and standards, as procedures predetermine needs for infrastructural arrangements.

6.2.2 European Neighbourhood and Partnership Instrument

Issues related with support for BCP development along the external border of the European Union are reflected in the agenda of Cross-Border Cooperation within the European Neighbourhood and Partnership Instrument (ENPI). In line with the analysis of the present situation the assistance aims to remove obstacles to effective cross-border co-operation and provide favourable conditions for linking potentials over the national borders.

The Latvia-Lithuania-Belarus ENPI 2007-2013 Cross Border Cooperation Programme envisaged large scale projects: Construction and introduction of a non-intrusive inspection technology (x-ray scanning

system) equipment of the Belarusian BCP Privalka located at the border with Lithuania and the Belarusian BCP Grigorovshchina located at the border with Latvia (EU contribution: 5 million Euros).

Similarly, the Lithuania-Poland-Russia ENPI Cross-border Cooperation Programme implemented under the 2007-2013 financial perspective will reinforce the Lithuanian BCP Panemune and Kybartai located at the border with Russia with 2 mobile X-ray systems (EU contribution: 4 million Euros). The projects will increase the capacity of the BCP and improve cargo traffic security by introducing new technological means of vehicle inspection.

The projects should enhance capacities at both sides of the border with preconditions for sharing scanning facilities and scanning results with other side of the border.

Under the Estonia-Latvia-Russia ENPI Programme project proposals were elaborated aiming to synchronize construction and improve the performance of BCP Burachki-Terekhovo and Burnishevo-Vientuli at the Latvian-Russian border and Ivangorod-Narva at the Estonian-Russian border.

Issues of cross border movement facilitation are at the agenda of the South-East Finland-Russia ENPI CBC 2007-2013 Programme. The programme supports development of the railway BCP Svetogorsk – Imatra at the Russian-Finish border. The BCP has been granted international status. For organization of transportations through this BCP Svetogorsk railway station must be equipped with means of border and customs control of imported goods.

Under the funding from “Cross Border Cooperation Programme Poland-Belarus-Ukraine 2007-2013” the building of the road BCP Polowce – Pieszczatka at the Polish-Belarusian border was planned. It is worth to mention that the project has a symmetrical design, implemented on both sides of the Polish – Belarusian border. In upcoming years the modern border crossing facilities for pedestrians, cars and trucks will be built in Polowce BCP on the Polish side of the border and in Pieszczatka BCP, Belarusian side project.

In the PT opinion, the value of ENPI Cross Border Cooperation instruments is capacity to foster bilateral cooperation initiatives between border agencies at both sides at the border and support actions eliminating disparities and equalizing throughput at the both sides of the border, avoiding unilateral one side improvements.

6.2.3 Border delegates system

Interviewed about cooperation on both sides of the border, the border guard officers in the visited countries referred to the border delegate system as the main instrument for cooperation. The system is based on the intergovernmental treaties as a legislative foundation formalising all interaction. In the ND area all the EU countries have such treaties concluded with neighbouring Belarus and Russia.

The aim of the system is to avoid negotiations at higher levels and involvement of diplomatic channels between the two countries for solving practical matters at the border such as joint investigation of illegal crossing and other incidents at the border. The system allows contact between representatives of border guards units on both sides of the border in strictly regulated matters and manner. The main forms of cooperation are regular, typically monthly or quarterly, meetings between border delegates (commanders of areal border guard units) complemented with ad hoc meetings held as necessary. “Hotlines” are established between headquarters of regional border guard units and at local level between national sides of BCP.

Differences in discretionary power between border guards at both sides, fears of information leaks, corruption and breaches of authority do not encourage initiatives in broader development of cooperation. Despite these limitations, the system proves to be in many cases an effective instrument for common actions in prevention of illegal border crossings at the called green and blue border between BCP and fighting cross-border criminality.

Latvian border guards provided examples of fruitful cooperation with Russian border in sharing equipment and expertise for detailed examination of passports suspected to be falsified. The border

guards stressed importance of joint operations⁸⁶ conducted on the bilateral basis or under the auspices of Frontex.

Formally, border delegates are obliged to ensure coordination among agencies working at the BCP. However, due to complexity of tasks related with cargo traffic management and goods processing in conditions of constantly growing traffic volumes, many issues often appear to be beyond scope of authorities and competencies of the border delegate system.

Cooperation between the border guards of the neighbouring countries is based on an agreement made by the two governments. The Estonian Customs promotes an idea of having such agreements as well in the area of customs cooperation. So far, meetings and other forms of communication between customs services and regional customs houses occur often only on an ad-hoc basis in response to specific operational needs and generally without the necessary legislative foundations.

The formalized agreements on customs cooperation could guide and encourage deeper communication and interactions at the central level, between customs houses at the regional level and customs posts at the local (BCP) level. It is also very important to give more discretionary power on cooperation issues to customs posts at the local (BCP) level.

As problems with processing of cargo traffic at the BCP are especially acute, the border delegate system should be complemented with broader involvement of customs services in cooperation with partners on the other side of the border.

6.2.4 Cross-border cooperation on traffic flow management

Cross-border co-operation is also important for the management of traffic flow, reducing congestions. Even if a BCP is well designed, with a sufficient number of traffic lanes and inspection facilities, it will remain ineffective if the BCP on the other side of the border cannot handle the same volume of traffic.

One of cooperation forms introduced at the Belarusian border with the EU countries aimed at reducing queues and traffic congestions at the BCP are agreements on minimal numbers of means of transportation that have to be processed by each side per 24 hours. There are agreements between the heads of Customs services of Belarus and Poland, Belarus and Lithuania specifying minimal figures for each road BCP, e.g.:

Number of trucks		Number of cars	
Direction to Belarus	Direction to Lithuania	Direction to Belarus	Direction to Lithuania
≥ 25 per hour 600 per 24 hours	≥ 25 per hour 600 per 24 hours	≥ 50 per hour 1200 per 24 hours	≥ 50 per hour 1200 per 24 hours

The agreements on time limits are complemented with the bilaterally approved system of prior notification of an emergency situation at the common border that defines actions to be taken by both sides in case of increasing traffic flow. Besides exchange of information on both sides' capacities, the system prescribes working meetings held in case of rising queues of vehicles waiting to cross the border, exchange of correspondence and telephone contacts for notification about expected increased traffic volumes, reduced BCP capacities, needs to adjust a number of staff to an increase in cross-border traffic of vehicles, etc. Mobile phone contacts between customs posts on both side of the border are introduced as a routine practice. To make communication cheaper and avoid international calls, on agreement Belarusian customs provided their partners on the Lithuanian side with a number of Belarusian phones cards at the number of BCP and received an equal number of Lithuanian phones cards for communication at the other BCP.

In the opinion of Polish customs experts, the system is so far as a tool of customs services and participation of Belarusian and Polish border guards could "enhance the effectiveness of the implementation of the system to a new level".

⁸⁶ Joint operation means a wide range of coordinated activities and actions with defined objectives in fight against cross-border criminality that are carried out beyond routine controls at the BCP, during a period of time over a wider territory.

The similar limits of processed vehicles are set at the visited Terechovo BCP at the Latvian-Russian border; the only agreements are concluded at the local level between customs houses.

6.2.5 Cooperation in risk analysis

The Schengen area countries and the CU countries are developing their own risk analysis and management systems related to goods, vehicles and persons. The systems are guided by considerably different priorities deriving from threats assessment:

- 1) Regarding goods, for EU countries threats are related with smuggling of excise dutiable goods, for Russia and Belarus – customs duties avoidance, stipulating such customs frauds as undervaluation, wrong description of commodities;
- 2) Regarding cars, in the EU countries border checks are mainly focused on prevention of thefts of cars and illegal transportation of stolen cars abroad. The risk analysis is closely linked with national police systems. In the CU countries customs risk analysis systems have to prevent attempts to import cars without paying duties⁸⁷;
- 3) Migratory routes related with illegal migration, abuse of asylum procedures and human trafficking are heading mainly towards the EU countries rather than in the opposite direction.

Therefore, possibilities for conducting joint risk analysis in short term prospective are limited. However, results of risk analysis could be shared in form of regular general reports or reports tailored to specific problems, e.g. drugs, human trafficking. Sharing of risk analysis results allows better understanding of risks and threats that are faced in the neighbouring country and how prevention can be supported.

Exchanges of good practices on conducting risk analysis could be another area of mutual assistance.

In longer perspective this could be supplemented with a broader support and exchange of information need for effective functioning of the risk analysis system and crime investigation on the other side of the border.

6.2.6 Involvement of carriers and trade community

Involvement of carriers and trade community into bilateral cooperation of border agencies allows more realistically assess the situation at the borders taking their views into consideration.

As an example the meeting of representatives of the Polish and Belarusian customs and border guard representatives with Polish and Belarusian carriers held on 16 October 2012 can be mentioned. Such meetings with the carriers are held regularly in the last seven years. The format of meetings provides an opportunity to discuss the current problems and prospects for action and allow the development of many solutions to facilitate the crossing of the EU external borders. Representatives of other relevant state agencies and institutions, local governors' administration usually participate in the meetings as well.

6.2.7 Joint border crossing time measurement and analysis

In September and October 2011 border crossing time analysis of freight traffic was conducted at the road BCP: Kuznica - Bruzgi, Bobrowniki - Brzostowica, Koroszczyn – Kozlovichi jointly by Polish and Belarusian authorities. The aim of this analysis was to assess the length of time taken by the border services operating at the border and to draw conclusions about the weak points and constraints affecting control operations both at the Polish and Belarusian sides. Such type of joint border crossing time measurement and analysis with neighbouring country should be used to a wider extent and on a regular basis. Unilateral measurements and analysis of times at one side of the border are not effective enough; measurements should cover times spent by drivers from entry of the BCP at one side of the border until accomplishment of procedures and exit from the BCP at the other side of the border.

In order to ensure validity and reliability of the results obtained with identified corrective/ remedial measures to reduce the time required for different procedures, there is a need for a methodology elaborated and agreed by both sides.

⁸⁷ As noted by Belarusian experts, the most popular scheme of illegal importation of cars is the transfer (sale) by foreign citizens of temporarily imported motor vehicles registered abroad without their further re-exportation and without the payment of customs duties.

The methodology should define uniformed data sampling standards and collection procedures, including periodicity, time and duration, involvement of border agencies and carriers engagement in the initiative as well as analysis methods of obtained data. WCO Time Release Study Guide to measure the time required for the release of goods can serve as a methodological basis. The methodology tested and proved at one or a few BCP could be afterwards recommended for a broader use in the ND countries.

7. PROPOSED MODEL OF INTEGRATED BCP MANAGEMENT

7.1 GENERAL REQUIREMENTS

The proposed model of integrated BCP management derives from analysis of current deficiencies and best practices in arrangement of the one-stop-window and integrated ICT systems in the ND area and beyond provided in chapters 2-5 of the Study. The proposed solutions should be considered in conjunction with findings described in those chapters.

7.1.1 Balanced approach

In general, the BCP management model should aim at the creation of proper balance between security and facilitation ensuring smooth flow of the travellers & goods and, at the same time, efficient combat and prevention of trans-border crimes.

The BCP management is based on three basic requirements: 1) traffic flow facilitation; 2) acceptable level of compliance and border security; 3) the cost effective use of available BCP resources.

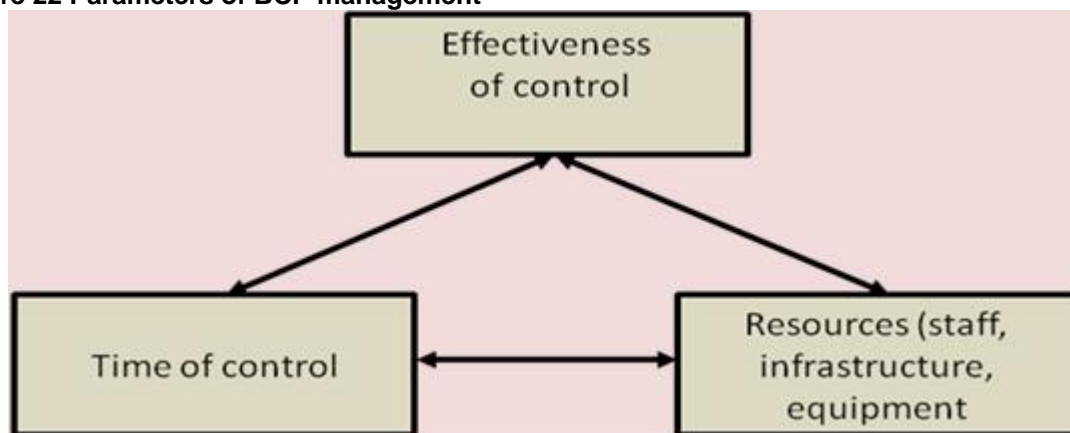
Three interrelated parameters of BCP management are considered in this respect (Figure 22):

- 1) Effectiveness of control (security aspects, all violations are prevented and detected);
- 2) Time of control (should be as short as possible);
- 3) Resources (staff, infrastructure, equipment).

Permanently growing intensity of traffic creates incompatibilities between the capacity of the BCP and the actual volume of traffic. In conditions of increasing traffic of persons and goods across the border there is a demand from society and traders to shorten time of control and speed up the procedures. But shortening and simplification of procedures cannot compromise effectiveness of control; security should be not lower than the level acceptable for society. Resources (staff, infrastructure, equipment) are practically always limited and need to be used very efficiently and rationally.

All the measures and solutions aimed at improvement of road BCP management should reconcile and balance these three parameters, which can be to some extent contradictory.

Figure 22 Parameters of BCP management



However, understanding and interpretation of this balance as well as corresponding practical measures and solutions at road BCP are different in countries or groups of countries. Sometimes border agencies are developing modern techniques, including acquisition of expensive sophisticated equipment, aimed at more effective control without proper attention to adequate facilitation of border crossings.

There is no universally applicable management model for all BCP; design layout options for specific BCP depend on volumes of traffic, scope of executed control procedures and feasible levels of integrated management.

The International Convention on the Harmonisation of Frontier Controls of Goods⁸⁸ and the TIR Convention⁸⁹ provide many relevant standards and full adherence to the letter and the spirit of these conventions is a unifying factor in this respect. However, many specific practices of road BCP management are not covered by them.

Specification and adoption of regionally recognized standards and recommended practices concerning road BCP management would be mutually beneficial for border agencies and forwarding/trucking companies. Such standards balancing between facilitation and security are applicable for BCP situated in seaports⁹⁰ and airports⁹¹.

Box 2 EU Standards

The Schengen Border Code⁹² defines contents and requirements for border checks at EU external borders. The Schengen Catalogue⁹³ presents recommendations and best practices for the correct application of Integrated Border Management, including ones adaptable at land BCP. However, both documents are mainly oriented towards passenger traffic flow control and support of border guards' actions. In addition, the Schengen Evaluation Working Group assesses whether the Schengen *acquis* is being implemented correctly and provides relevant conclusions and recommendations.

Frontex⁹⁴ is also working on analysis and identification of best practices in checks at the EU's external land BCP. As acknowledged by the Research and Development Unit of Frontex⁹⁵, this was conducted in close collaboration with EU Member States. However, this work covers mainly aspects related with control of people movement and is to some extent unilateral, as relevant actors on the other side of the EU external borders are not involved. In the PT opinion, this work on standardisation of road BCP management is valuable, but should be continued in the expanded format with participation of appropriate EU customs bodies, e.g., TAXUD⁹⁶, and representatives of Eastern partners in elaboration of common standards. The NDPTL could initiate this work together with Frontex and other respective bodies and contribute with involvement of transport authorities as stakeholders.

Frontex plays an important role in promoting, coordinating and developing European border management in line with the EU fundamental rights charter and the concept of Integrated Border Management. Frontex helps border guard authorities from different EU countries work together. The interlocutors from Finish Customs met by the PT in Helsinki expressed an opinion that establishment of a similar EU agency supporting and reinforcing cooperation between national customs could contribute significantly to trade facilitation and prevention of Community customs law violations.

7.1.2 Distance between BCP facilities and border line

BCP facilities should be close to the border line. Larger distance creates irregularities in BCP functioning: 1) difficulties in communication and cooperation, situation with traffic flow at the other side of the border is not visible; 2) Congestion of transport in the so called neutral zone; 3) Possibility to circumvent BCP and avoid control for not bona fide travellers and carriers. To prevent unlawful actions a road stretch between the BCP and the border line should be fenced, lighted and patrolled or monitored with electronic surveillance system.

⁸⁸ Geneva, 21 October 1982

⁸⁹ Customs Convention on the International Transport of Goods under Cover of TIR Carnets (Geneva, 14 November 1975)

⁹⁰ Convention on Facilitation of International Maritime Traffic (FAL 1965), the International Ship and Port Facility Security (ISPS) Code went into effect in 2004; other documents developed by the International Maritime Organization (IMO)

⁹¹ The International Civil Aviation Organization (ICAO) codifies the principles and techniques that ensure safe facilitated border-crossing procedures at international airports

⁹² Regulation (EC) No 562/2006 of the European Parliament and of the Council establishing a Community Code on the rules governing the movement of persons across borders (Schengen Borders Code) and the Convention implementing the Schengen Agreement

⁹³ Schengen catalogue on External borders control, Return and readmission addresses a set of recommendations and best practices to the Schengen Evaluation Working Party

⁹⁴ The European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union

⁹⁵ The PT visited Frontex HQ in Warsaw

⁹⁶ Taxation and Customs Union Directorate-General (European Commission)

In case of separately operated national sides of the BCP, narrow stretches of road connecting BCP facilities at both sides of the border, should be widened in a coordinated way as a priority for implementation of green corridor and other traffic facilitation measures⁹⁷.

7.1.3 Commercial facilities at the BCP

Hygiene, social and telecommunications facilities for drivers, bank and/or money exchange offices and insurance companies, cargo forwarding/carrier agencies should be in close proximity, but on the outside of BCP area. If for the sake of smooth traffic flow some of abovementioned facilities are in the BCP area, providers for such services should be selected on a competitive basis. No catering facilities, hotels private company services should be located inside the BCP area.

In trucks waiting areas beyond the BCP area should be provided minimal hygiene, catering and social facilities for drivers rest. However broader development of private initiatives and commercial services should not be fostered. In case of expedited procedures by border agencies at the BCP, there is no need to keep traffic there and the ancillary facilities become really unnecessary. Restaurants, cafeterias, hotels, petrol stations and other services can be found in the local town or other places.

Duty free shops, where travellers are entitled to buy in duty free shops without paying tax, are opened at many road BCP at the EU side as well as at Russian/Belarusian sides. But first of all there should be proper separation of exiting and entering traffic flows that in many places is not so easy to implement as at airports or harbours.

In all cases duty free shops should be kept under control of customs, restricting BCP staff and local residents, who are not genuine travellers, to benefit from shopping. Otherwise duty free shops may open channels for smuggling, revenue evasion, and money laundering and their presence at the BCP may be disputable.

7.1.4 Logistic requirements

The BCP master plan should meet the following main logistic requirements, including basic infrastructure and auxiliaries:

- 1) Include appropriate environmental solutions, standards for water and power supply, sanitation, sewage, telecommunications;
- 2) Envisage spare ground areas for future expansion and reconstruction in case of growing traffic or changing tasks and procedures;
- 3) The area and perimeter of the BCP should be secured by a high fence and controlled with closed circuit video cameras, lockable gates, code locks (at service entrance and all service premises); video surveillance cameras are also installed in the vicinity of BCP for watching adjacent areas;
- 4) The design of administrative buildings should insure decent working and rest conditions for officials and consider possibilities for sharing some premises among border agencies (e.g. conference rooms, kitchen, toilets, changing facilities, entrance area). Sharing of premises is especially important for a small size BCP;
- 5) Exterior lighting for control zone and other BCP areas;
- 6) Secure parking places for service vehicles and cars of officials working at the BCP;
- 7) Specific facilities for secondary inspections, including a room for body search, interrogation and temporal detention premises, premises for asylum applicants, second-line document inspection offices;
- 8) A designated area for seized or detained goods and vehicles, a safe room for keeping seized goods;
- 9) Forced stoppage devices for vehicles attempting to pass the BCP without stopping for control;
- 10) Non-intrusive detectors for radioactive materials, narcotics and other items should be installed in a way insuring control without necessity for vehicles to stop.

7.2 MODEL OF JOINTLY OPERATED ROAD BCP

Despite complexities described in chapter 3 of the Study, the joint border control model based on the single master plan for both national parts of the BCP deserves to be increasingly fostered and promoted at political and interagency executive levels.

⁹⁷ Details and examples are given in subchapter 2.4.3

Plans for establishment of new BCP should consider first of all the possibility of joint control and a single master plan for both national parts of the BCP.

In addition to expediting cross-border movement, the following benefits of joint control should be taken into account:

- 1) A joint BCP model helps avoid the problems mentioned in the previous chapters related to bottlenecks at the border line, difficulties with continuous green channel, separate continuous lanes for empty trucks and trucks transporting AOE goods;
- 2) Reduced maintenance costs of a single facility. This is especially beneficial for smaller size BCP;
- 3) The joint work results in improved efficiency through cooperation, the sharing of information and better use of resources. Relying to a greater extent on the partner agency abilities allows reducing personnel;
- 4) Working side-by-side makes communication easier, builds trusts between agencies of both countries, and creates opportunities for enhanced cooperation. It also stimulates sharing of ideas and experiences;
- 5) The joint BCP arrangements also enable the sharing of infrastructure and control equipment, for example, by jointly using one X-ray scanner to examine trucks. This is especially important for smaller size BCP allowing use of one scanner in both directions;
- 6) Clearance in a single location reduces parking and other excessive manoeuvres of heavy trucks;
- 7) Joint BCP on the one side of the border is a best solution in case of unfavourable terrain conditions on the other side of the border.

Despite obvious benefits, the implementation of the joint BCP concept could be constrained and challenging for several reasons:

- 1) There are no references to joint control development in national border control strategies of the ND countries. Therefore, the most important prerequisites for the successful implementation of joint work are the political will and understanding of the joint border control concept by the governments and the respective governmental authorities, commitment to introduce and implement the concept;
- 2) Another impeding factor is a difficulty of adjustment of existing structures, including due to dissimilarity between both sides BCP facilities. Partner country authorities usually expect compatible condition at the other side with what they usually had.

The single common location for joint control can be on either one side of the border (see figures 14-15, chapter 3) or juxtaposed facilities located in country 1 for one direction of movement and in country 2 for the opposite direction of movement (see figures 16-17, chapter 3).

Joint control at existing BCP can be introduced where it contributes to speeding up border checks and requires minimal investments for constructional rearrangements.

Possibilities for joint control at passenger traffic lanes and cargo terminals could be considered separately. It is not necessary that the whole BCP is functioning as a joint facility. Depending on local conditions, joint control can be applied either only for passenger or cargo traffic.

Transfer to joint facilities should be complemented with streamlining and simplification of procedures, exploiting opportunities resulting from joint locations.

7.3 PASSENGER TRAFFIC MANAGEMENT MODEL AT ROAD BCP

Passenger traffic management model at road BCP is based on proper use of traffic lanes, one stop principle and efficient distribution of responsibilities and interaction between border guards and customs officers.

The introduction of joint control for passenger traffic seems the most feasible in the eyes of the PT: layout of passenger traffic control zones is symmetrical and similar at both sides of border allowing introduction of one country or juxtaposed arrangements without significant reconstructions, additional booths at the traffic lanes with appropriate communication lines are needed for officers from the neighbouring country.

7.3.1 Proper use of traffic lanes

Traffic lanes, directions of movement, the sequence of undergoing checks, examination places and other facilities must be marked clearly, logically and understandably for travellers and be visible to make the choice of lanes easy, avoiding confusions or ambiguities. Road signs, signals and markings should be used in line with the road traffic regulations to the extent possible.

For BCP with intensive traffic, separate traffic lanes can be designated for EU (CU) citizens combining this separation green-red channel system (see subchapter **). In cases where there are big towns in the proximity to the BCP on both sides of the border, it can be justifiable to arrange a separate pedestrian footway with necessary control facilities.

Fixed designation of traffic lanes creates situations in which citizens of third countries are obliged to stay in a queue for a longer time while the officer at the EU (CU) booth are free. In this case or other temporary imbalances in the traffic flows at BCP is reasonable to change the use of the different traffic lanes, e.g. from "EU (CU) citizens" to "All citizens", or to waive green-red channel.

In this case temporary signs should be deployed or manual traffic regulation introduced. In order to avoid such inconveniences, indications on the signs of traffic lanes should be displayed electronically, as it is done in airports.

This allows adjusting load of traffic lanes to the current mix of the traffic, e.g. conducting checks of citizens and cars from third countries at the lanes designed for EU countries citizens and buses in a situation where there are no waiting cars and travellers to check from EU countries or buses.

Number of traffic lanes should be adequate not only to the amount of traffic expected but also to the staff available. Having not enough staff attempts to ensure workflow at all the lanes can be counterproductive.

In case of special restrictions to build new traffic lanes, an oblique (diagonal) alignment of control booths with adjacent stopping spaces for cars (see figure 4, subchapter 2.2) is recommendable.

7.3.2 One stop principle for passenger cars

Passenger vehicles should have a possibility to arrive at the BCP without stopping at the entry/exit gates. All services should be located, deployed and interact in a way preventing possibilities to pass through the control zone without control or circumvent the control zone.

The following organizational arrangements based on proper interaction between border guard and customs officers in the control zone support passenger traffic flow management without entry/exit gates guards and control coupons and can be proposed as the best practices:

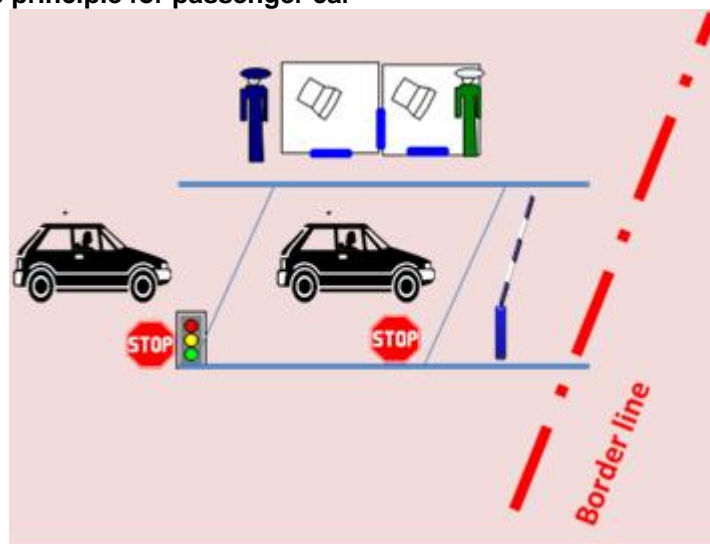
- 1) For outbound traffic direction (from the country) a custom officer starts the checks first and she is responsible for entrance of cars to the control zone. A border guard officer accomplishes checks and she is responsible for exit of the car from the control zone, as soon as all the checks are done.
- 2) For inbound traffic (to the country) a border guard starts the checks first and she is responsible for entrance of cars to the control zone. A customs officer accomplishes checks and she is responsible for exit of the car from the control, as soon as all the checks are done.

The one stop principle supposes that in conditions of intensive traffic interventions of both services should be done to the extent possible in parallel and simultaneously.

Figure 23 illustrates the one stop principle and cars management at the traffic lane in the control zone.

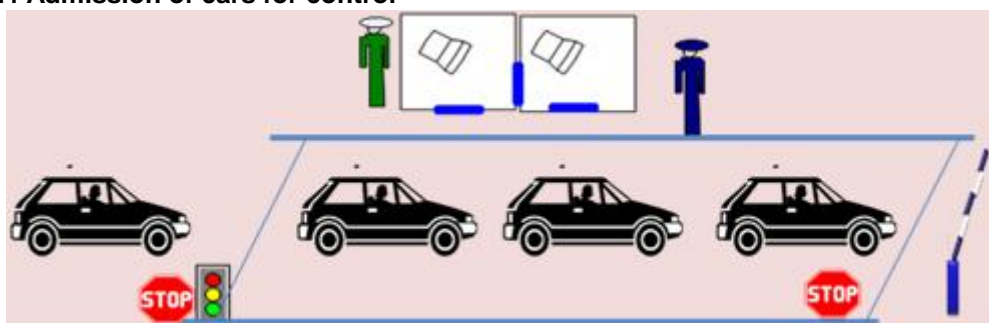
Joint booths for border guard and customs officers are located on the left side of each traffic lane and have a service window, big enough to communicate with a driver and passengers of the car, stopped near the booths, and freely conduct all the necessary checks. Border guard and customs officers perform their tasks in pairs properly interacting without duplication of actions.

Figure 23 One stop principle for passenger car



In this case the only one car is jointly processed by border guard and customs officers in the control zone. However, in case of intensive traffic it can be more practical to admit 2-3 cars in the control zone (Figure 24). This provides more flexibility for customs officer in his actions and selection of cars for more detailed examination.

Figure 24 Admission of cars for control



A customs or border guard officer can regulate the normal intensity of traffic flow in the BCP, using traffic lights. He allows entry to a number of vehicles to the control zone for passport and customs control switching on the green light on the traffic lights. If the traffic is not intense the lights could be green all the time. It would help to control traffic flow and keep enough space at the traffic lane, which is needed to conduct proper examination. Traffic lights should be controlled from inside of the booths and also with hand transmitter when the officer is outside the booth at the traffic lane.

At the exit of the control zone there should be electronic barriers which should be controlled from inside of the booths and also with hand transmitter when the officer is outside the booth at the traffic lane.

Arrangements of control for travellers without getting out cars can be viewed as the best option. For this purpose control booths can be built to the height of the vehicle's window to allow a driver and passengers to remain in the car. This option is especially recommendable for green channels, where customs intervention is minimal.

7.3.3 Interaction between border guards and customs officers

The implementation of the control model "one-stop" in terms of shortening control activities and, subsequently, increasing the number of cleared vehicles, requires the development of automated data transfer options between the border guard and customs information systems about persons and vehicles. In order to save officers' and drivers' time, all the information should be captured once and

accessible to both border agencies for transferring into their systems. It also prevents errors from repeated typing of the same data and, in some cases, limits possibilities for fraud.

The compartments and cavities of the car, if necessary, should be inspected one time no matter by officer of which agency.

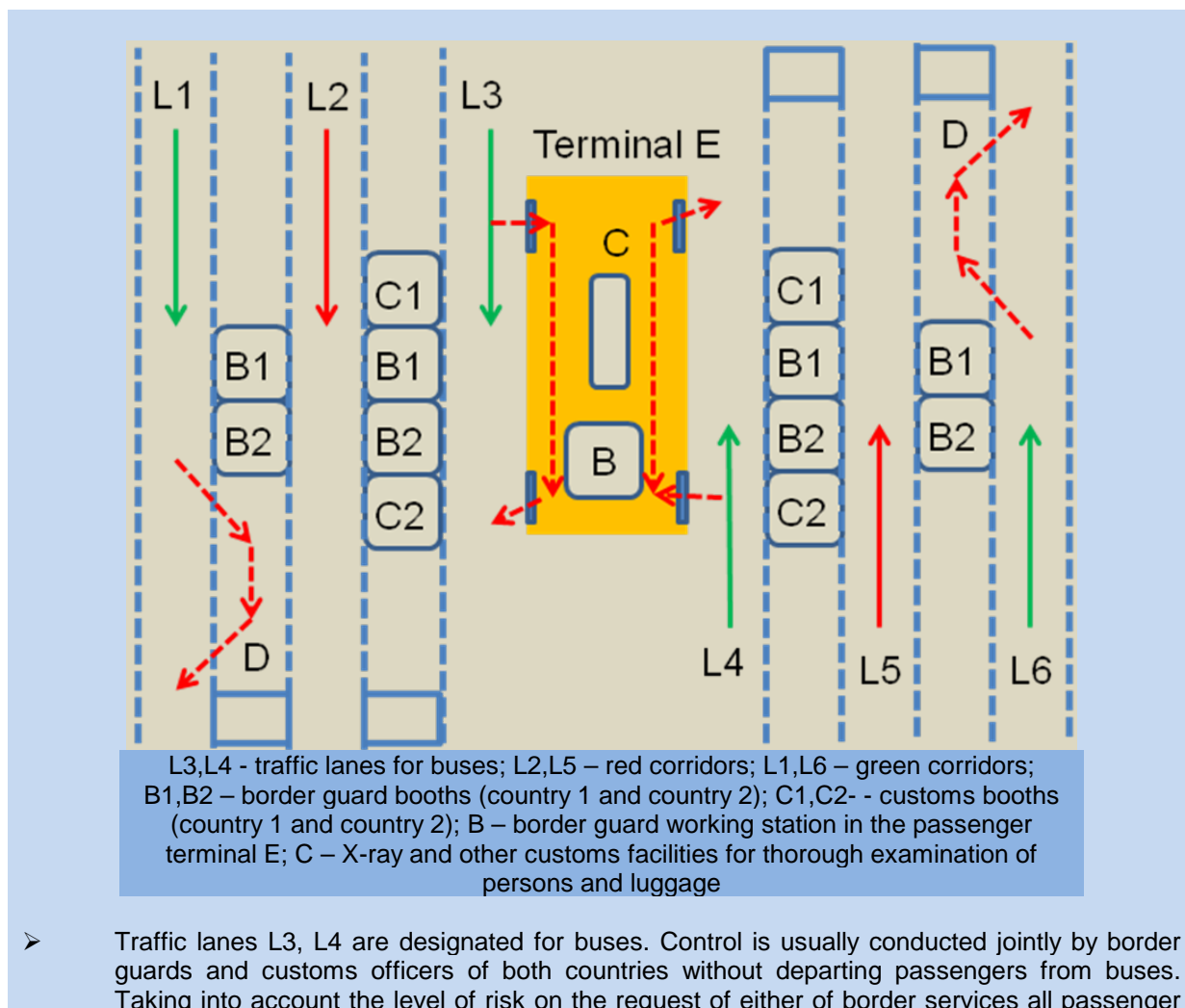
Modern technological solutions in the field of passport control allows moving officials from passport control to other duties and tasks. Furthermore, it creates possibilities for new forms of cooperation between border guards and customs officers in terms of delegation and sharing duties and responsibilities⁹⁸. At the green channel control of passenger cars and persons travelling without declared items can be fully conducted by border guards with calling for customs officers from red channel in case of necessity.

Customs officers from the same units are used for passenger and commercial traffic control. Therefore, delegation of some responsibilities to border guards and optimization of use human resources at the passenger lanes allows allocating more officers for freight traffic control.

7.3.4 Layout of passenger traffic control zone

An example presented in Box 3 illustrates the proposed arrangements for passenger traffic control at the jointly operated BCP.

Box 3 Passenger traffic control zone at the jointly operated BCP



⁹⁸ Details and examples are given in subchapters 2.2.5 - 2.2.7

or part of them can be invited for profound checks to passenger terminal E. The same terminal, including X-ray for search of luggage and other facilities, can be used for checks of persons moving from country 1 to country 2 and from country 2 to country 1.

- Drivers can choose green corridor (traffic lanes L1, L6) or red corridor (traffic lanes L2, L5). Requirements for choosing green corridors are defined on the basis of customs rules of both countries.
- Identification of persons (verification that the submitted travel document belongs to the holder) is done only by border guard of one country, who submits the document to the border guard from the neighbouring country for stamping and, if necessary, for checking through data base. Customs interventions are done on the basis of risk analysis.
- Green corridors are controlled fully by border guards with calling for customs officers from red channel in case of necessity.
- Space D between traffic lanes is used for deeper examination of cars, if necessary. This allows to avoid delays for other checked cars and to avoid convoying cars to detailed examination area.

The general idea of one stop principle is that cars crossing the border stop once and during the stop both passport control and customs control shall be made at the same time. However, following one stop principle, an optimal sequence of actions and interaction between border guard officer and customs officer will be somewhat different depending on responsibilities prescribed for them, as well as direction of movement (import, export) and ways of declaring goods (use of red and green channels).

At the BCP where one stop principle cannot be fully implemented due to infrastructural constraints, appropriate compensatory measures should be explored based on coordinated interaction between border guard and customs officers, proper division and delegation of responsibilities. Relevant experience can be shared among BCP staff countrywide, as well as at the regional scale.

7.4 FREIGHT TRAFFIC MANAGEMENT MODEL AT ROAD BCP

Freight traffic management model at road BCP is based on a proper distribution of customs functions between the BCP and inland customs posts, regulated BCP access, minimization of a number of control services processing freight traffic and other one-stop-window arrangements.

7.4.1 Scope of control tasks

In terms of growing cargo traffic a proper distribution of functions between customs posts at the BCP and inland customs posts should be found. Duplication of operations should be avoided. The development of post-clearance audit is another factor that allows reduction of control activities at the border to only those necessary to determine the admissibility of the goods⁹⁹.

At the BCP checks should be conducted related exclusively with public safety and public health: prevention of smuggling, illegal weapons and drugs trafficking. Fiscal functions, which refer to the priorities of internal customs, should be executed elsewhere. Also at the BCP should remain the control whether a vehicle (loaded or empty) enters or leaves the country and the interaction with inland customs to ensure that a vehicle with imported cargo arrives to the domestic destination terminal.

7.4.2 Regulated BCP access

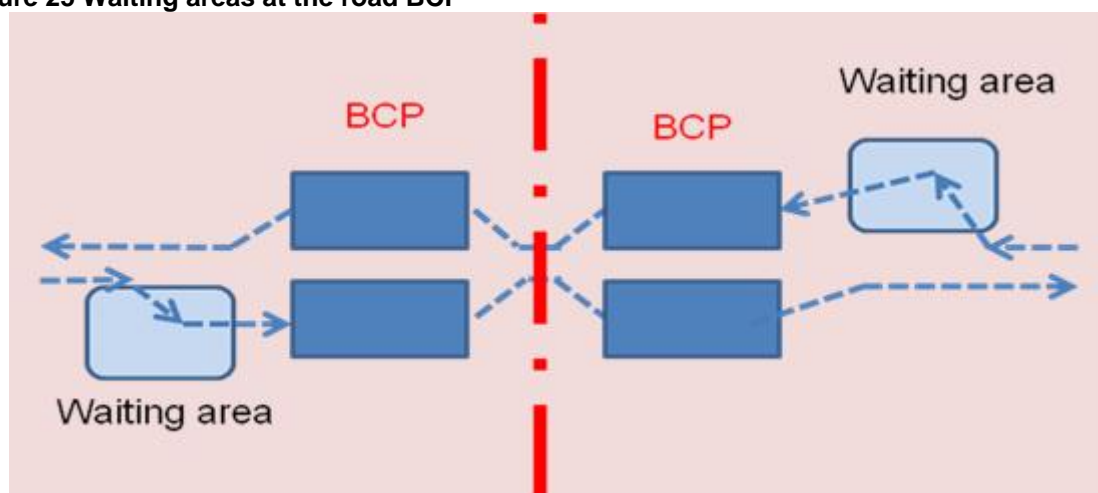
Long queues at the access roads to the BCP require introduction of a queue management system as a short term priority taking into account Estonian experience¹⁰⁰.

Introduction of electronic queue management system should go with arrangement of a waiting area (parking lot) in close proximity to the BCP (Figure 25).

⁹⁹ Post clearance audit or audit-based controls are defined by the Revised Kyoto Convention as measures by which the Customs satisfy themselves as to the accuracy and authenticity of declarations through the examination of the relevant books, records, business systems and commercial data held by persons concerned.

¹⁰⁰ Details are given in subchapter 2.4.1

Figure 25 Waiting areas at the road BCP



Otherwise the introduction of electronic queue management system in a BCP would be not productive enough. A waiting area is needed, as entering time cannot be set precisely in advance and drivers cannot arrive at the BCP exactly at the set time. Absence of the waiting area creates congestions at the entrance to BCP and difficulties in handling sequence of admission to the BCP. Built waiting areas can be used by drivers for rest even in absence of queues.

However, on the other hand, electronic queue management system allows minimizing the size of the parking area, as it will be parked only with those vehicles that are waiting to enter the BCP shortly and those that use a physical queue without booking time. Therefore, the projections of the queue management system and the waiting area should be combinable (Photo 9).

Photo 9 A waiting area supports introduction of the queue management system



Estonian experience shows that the system can be run by a private company and can be self-financing. However, proper governmental support and oversight should be ensured in this case, as otherwise gains of the company directly dependent on the presence of queues do not encourage further improvements of the system towards reduction of queues.

The Estonian queue management system covers both cargo and passenger traffic. However, in the PT opinion, the electronic queue management system should first of all be introduced for cargo traffic, as elimination of truck queues cannot be expected in short term perspectives. Border agencies should seek to avoid passenger traffic queues through optimization and flexible application of control

procedures, and to ensure rights of people to move across borders without time prescriptions and fees.

Appropriately developed the electronic queue management system should ensure a priority in border crossings for defined categories of transport (e.g., vehicles carrying out perishable goods), and directing lanes for empty trucks, trucks of AEOs and other selected means of transportation to separate lanes. Furthermore, the queue management system should be connected to the trucks movement management system at the BCP into a joint synchronised system covering all related processes.

7.4.3 Layouts of cargo terminals

In subchapters 2.3.1 -2.3.3 3 options were presented of most common arrangements for freight traffic control at a road BCP. The layout with clearance at the traffic lanes (option 2) is recommendable for not sizeable BCP. Separate cargo and passenger terminals are most suitable in case of intensive freight traffic.

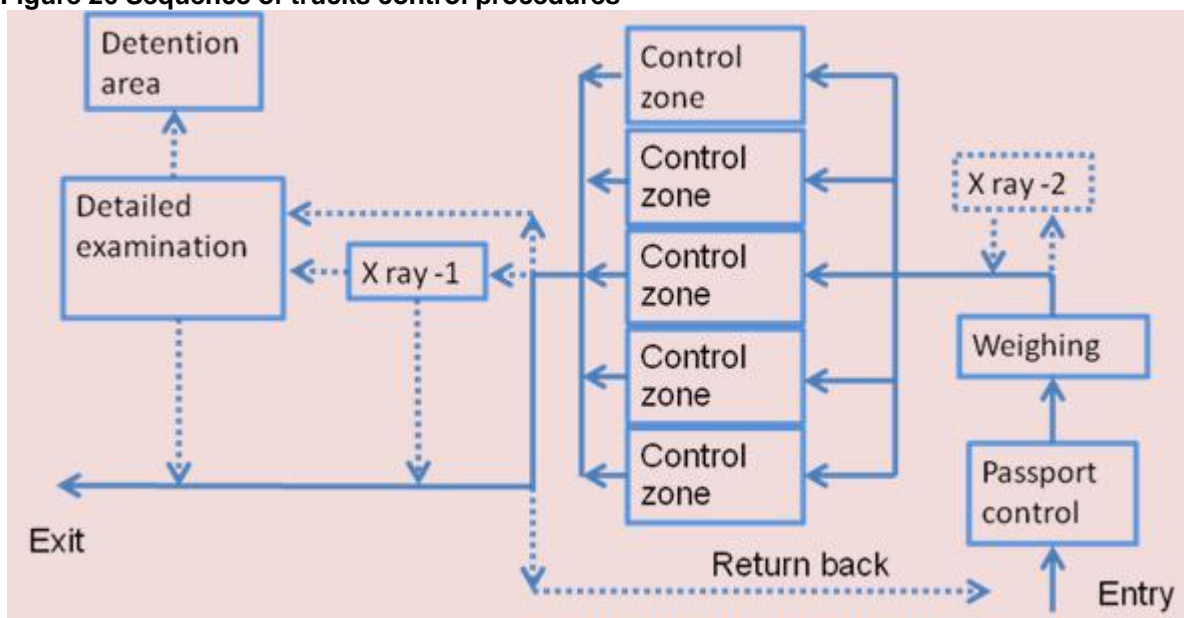
There could be different solutions for layouts of cargo terminals depending on local conditions and terrain features. However, trucks from the customs control zone should move either to the exit of the BCP, or, if assigned basing on risk analysis, to the X-ray facilities or to the examination facilities for detailed physical examination (Figure 26).

In case of refused entry, a truck can be also returned back without further processing.

BCP layout should be designed in a way insuring all possible driving routes for long trucks between these objects:

- 1) Without impeding or blocking other trucks or being impeded by them;
- 2) Without possibilities to avoid assigned control procedures (e.g., X-ray screening);
- 3) Without needs for physical accompanying and additional visual control of movement by customs officers.

Figure 26 Sequence of trucks control procedures



Usually X-ray and detailed examination facilities are placed at the inward direction, as it is important to prevent illegal transportation of goods into one country. However, sometimes a need could emerge for X-ray screening or detailed physical examination of a truck exiting the country. Therefore, BCP layout should insure redirection of such trucks to X-ray and detailed examination facilities at the inward direction.

Taking into account experiences of the ND countries, X-ray scanners are located either after the control zone (position X ray -1, Figure 26) or before the control zone (position X ray -2, Figure 26). The optimal position is dependent on applied risk analysis policies determining ratio of scanned trucks to all processed trucks. When the ratio is high (majority of trucks are scanned) the optimal position is before the control zone. In case of high selectivity (a small part of processed trucks are targeted) positioning of the scanner after control zone is more justifiable.

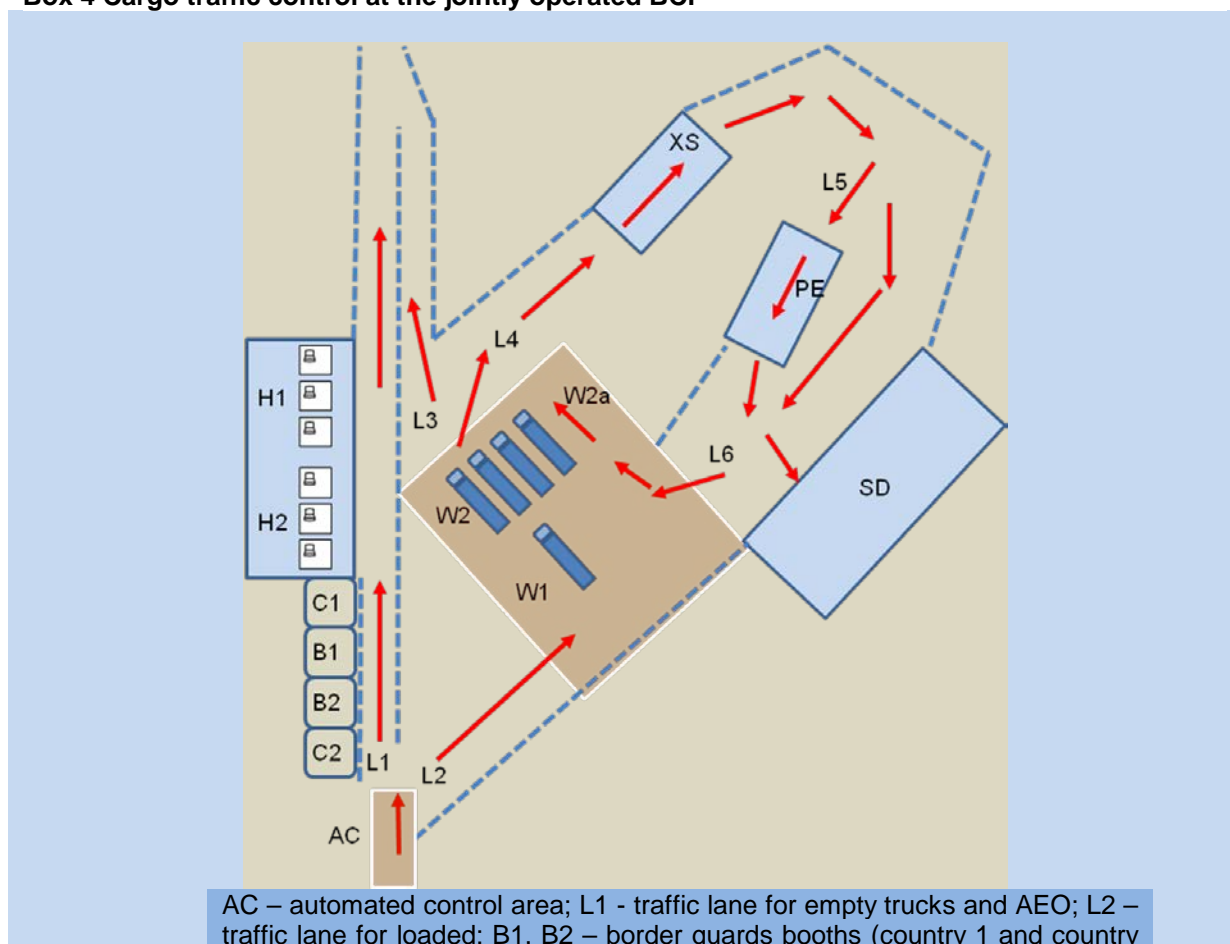
It is very evident, that X-ray scanning should be selectivity based, otherwise it creates a queue for scanning and leads to delays in border crossings.

Scanners should be used, first of all, in the interests of public safety and public health: prevention of smuggling, illegal weapons and drugs trafficking.

In accordance with publications of the Russian non-profit partnership of professionals in the field of foreign economic activity "Guild PROVED"¹⁰¹, major efforts of Russian customs using scanners aim to verify the consignment data specified in the shipping documents. For these purposes, up to a quarter of all traffic is sent for screening. The overall effectiveness of these screenings by the end of 2011 according to the report of the FCS of Russia amounted to 0.26%. It means that that from a thousand of screened trucks in less than three cases some shortcomings were found in documents.

In Box 4 the above proposed arrangements are illustrated for cargo traffic control at the jointly operated BCP.

Box 4 Cargo traffic control at the jointly operated BCP



¹⁰¹ Non-profit partnership of professionals in the field of foreign economic activity "Guild PROVED" was founded on the principles of voluntary association of its members to set standards and rules of foreign economic activity to protect the interests of businesses and consumers of goods, works and services, to develop foreign trade in the interests of the Russian society.

2); C1, C2 - customs booths (country 1 and country 2); H1, H2 – workstations of customs officers in clearance hall (country 1 and country 2); W2 - parking places in the control zone for trucks under clearance; W1 - parking places for trucks waiting clearance; XS – X-ray scanner; PE – facilities for physical examination with unloading; SD – area for seized goods and detained trucks

- At the scheme the part of the cargo terminal is illustrated designated for control of trucks moving from country 2 to country 1. Control of trucks moving from country 1 to country 2 is arranged in the same way.
- The electronic queue management system directs a truck from the waiting area to the cargo terminal through the automated control area AC. In the automated control area automatic devices and facilities are installed for measurements and detections without necessity for trucks to stop (e.g., radiation detectors, automatic weighbridge¹⁰²).
- Traffic lane L1 is designed for empty trucks and trucks with AEO goods. Control is done directly at the traffic lanes without moving to the parking area in control zone. Trucks and drivers are processed jointly by border guards and customs officers of both countries (control booths B1, B2, C1, C2), similarly as in the passenger terminal.
- Traffic lane L2 is designed for loaded trucks moving to the control zone for clearance. The queue management system assigns and notifies a driver on the number of parking place in control zone W2 by posting it at the light board in the waiting area before access to the BCP.
- In the clearance hall workstations are arranged for customs officers from both countries (H1, H2) conducting documentary checks. These customs officers are also responsible for passport control. A minimal number of officers working outside in the control zone check exterior of trucks and control trucks movement interacting closely with customs officers inside the hall.
- The number of trucks admitted to the parking places in the control zone W2 is minimal (equal or proportionate to the number of working stations processed by customs officers in the clearance hall), in order to avoid congestions of trucks in the control zone complicating traffic management.
- In case of intensive traffic, in order to avoid breaks in processing of trucks in parking places W2, a truck arrives first to the position W1 and waits shortly until the truck in the front leaves parking place W2.
- From the parking places in the control zone W2 trucks proceed either to the exit (L3) or, if selected to the deeper examination) to the X-ray scanner XS (L4). After scanning, a truck can be directed to the facilities for physical examination PE (L5). In this area facilities can be also located for veterinary and phytosanitary control.
- After scanning and physical examination, trucks are either directed to the area for seized goods and detained trucks area SD or can proceed to the exit through parking places W2a (L6). Proceeding through parking places W2a is designed for facilitation of trucks movement control.

7.4.4 Development of weighing system

Weighting systems are used at the BCP to check individual axle weights and gross vehicle weights to prevent axle overloading, thus determining whether the vehicle is safe to travel on the public highway. By weighting the vehicle when loaded and subtracting specified tare weight, the load carried by the vehicle can be calculated for customs valuation purposes.

Weighting usually takes a few minutes, but in conditions of growing traffic it could be a cause of delays. Assuming weighting takes on average 5 minutes, it means, that not more than $12 \times 24 = 288$ trucks could be processed per 24 hours and direction. For the achievement of higher throughput it either a percentage of trucks should not be weighted or second weighbridge working in-parallel should be installed.

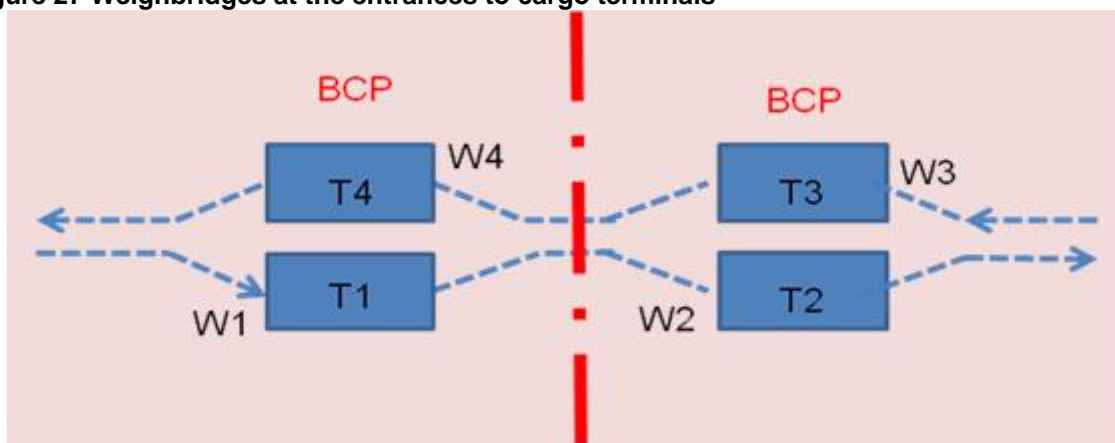
At many BCP up to 4 dynamic axle weighbridges are used for weighting of freight vehicles - up to 2 at one side and up to 2 at the other side of the border (Figure 27), located at the entrances to BCP. These weighting systems at some BCP are complemented with static platform scales in the control zone or detailed examination places. A truck can be weighted at both sides of the border.

¹⁰²

More information about development of weighing systems is provided in subchapter 7.4.4

In order to avoid repetitive vehicle weighing procedures at BCP, the International Convention on the Harmonization of Frontier Controls of Goods, 1982 (Harmonization Convention, 1982) presents the International Vehicle Weight Certificate as a document for acceptance and mutual recognition among countries. Vehicle weight measurements recorded in such certificates shall take place only in the country of origin. While the certificate is theoretically accepted by all ND countries, in practical terms it is not broadly used so far. One of reasons behind this, are various weighing policies and approaches in countries or even at specific BCP: in some cases all trucks are weighed, in others they are selected on the basis of risk analysis or only inward transport is weighted etc. Integration efforts are still needed to ensure that weight measurements on one side of the border are recognised and used by border authorities on the other side.

Figure 27 Weighbridges at the entrances to cargo terminals



(W1-W4) – weighbridges; T1,T3 – outward cargo terminals; T2,T4 – inward cargo terminals

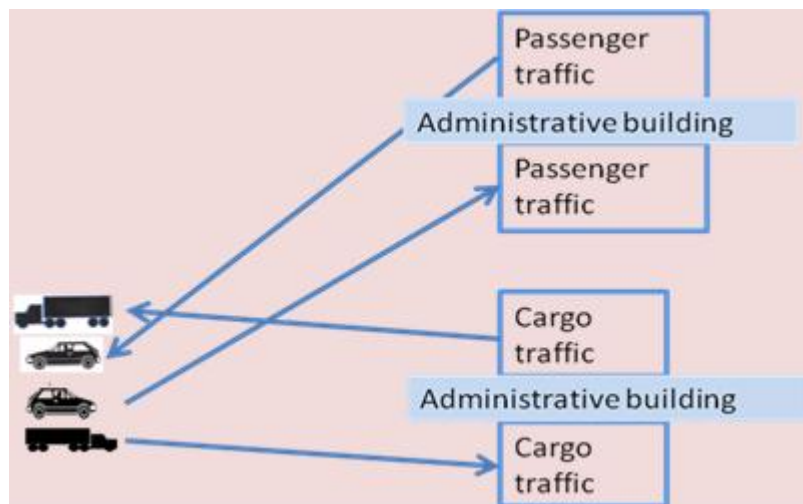
New technologies create more possibilities for optimisation of weighing processes. The optimal option would include the following requirements:

- 1) To weigh trucks while in motion;
- 2) Automated unmanned transfer of registered weighing results to the BCP management system (without having an officer occupied at the weighbridge);
- 3) For automated identification of weighted vehicle, the weighbridge is mounted in the same place together with the cameras of the automated number plate recognition system;
- 4) Registered trucks weighing results from the exit country are transmitted electronically to the inward terminal of the neighbouring country.

7.4.5 Management of intersecting traffic flows

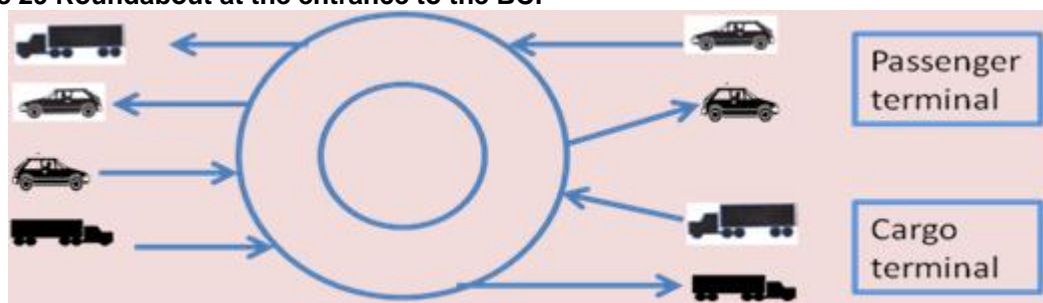
Alignment of the BCP into 2 separate terminals for cargo and passenger traffic requires proper regulation of intersecting traffic flows at the entrances to the BCP (Figure 28).

Figure 28 Intersecting traffic flows



Intersecting traffic lines are regulated with traffic signs and lights or, if the terrain allows, traffic roundabouts could be considered (Figure 29) for newly built BCP.

Figure 29 Roundabout at the entrance to the BCP



7.5 ROAD BCP SPATIAL DEVELOPMENT SCENARIOS

The PT propose three spatial development scenarios for the introduction of the integrated BCP management model that are presented in Appendix F of the Study according to the degree of the intended intervention, focusing on spatial development, organizational structure, operational and technical structure: the minimum, the higher and the highest. The differentiation per scenario is briefed within the context of the following list:

- 1) At the minimum scenario, based on the existing layout, several spatial modifications, such as the reforming of accesses – egresses or the redesigning of lanes are suggested. In addition, amongst the proposed measures, the organizational co-ordination of the two neighbouring national parts of the BCP at operational level is also investigated as an alternative option.
- 2) In the context of the higher scenario, apart from the measures addressed at the minimum scenario, the single window elaboration and the single database system operation for both neighbouring national parts of the BCP at tactical level are also examined from spatial development point of view as per their applicability and effectiveness.
- 3) Concerning the highest scenario, except for the methods applied in the previous two scenarios which should be taken into consideration as a “given”, the possibilities for border crossing control stations to operate as integrated joint BCPs, plus the creation and setting into action of a Master Plan, common for both the neighbouring national parts of the BCP at strategic level are estimated. The focus, again, is given on initiatives and actions associated with spatial development.

Pertaining to the future, any scenario developed will be based on statistical data associated to traffic growths, planned modifications associated with policy, administrative and organizational transformations (e.g. creation or updating of action plan), also taking into consideration any

information concerning the legislative and institutional framework of the neighbouring countries, focusing on the required documentation and controls needed to enter / exit each country of the study area.

The deployment of the three scenarios is based on the existing operational, institutional, legal and technological features of BCPs identified in study area. Existing needs and relevant good practices were also taken into account. The different spatial models were designed in terms of different integration levels of IBM (See details in Appendix F).

7.6 RAIL BCP MANAGEMENT MODEL

In general, current conditions at the railway BCP for passenger and freight traffic control in the ND countries are considered as satisfactory both by border agencies and railway administrations.

The following requirements for railway BCP model can be formulated on the basis of analysis provided in chapter 4:

- 1) Frontier railway station where the BCP is situated should be close to the border. Otherwise, an electronic surveillance system along the railway stretch between the frontier railway and the border line should be installed to prevent possibilities to jump out from the train or throw out smuggled items when the train slows down or stops for a while;
- 2) The best solution in terms of efficient use of manpower and infrastructure is to locate capacities for control freight and passenger trains at the same frontier railway station;
- 3) Service premises should be designated for officials of border agencies at the frontier railway station to insure decent working and rest conditions;
- 4) A Memorandum of Understanding between railway administration and border agencies should define practical modalities of interagency cooperation and interaction at the railway BCP;

Passenger trains:

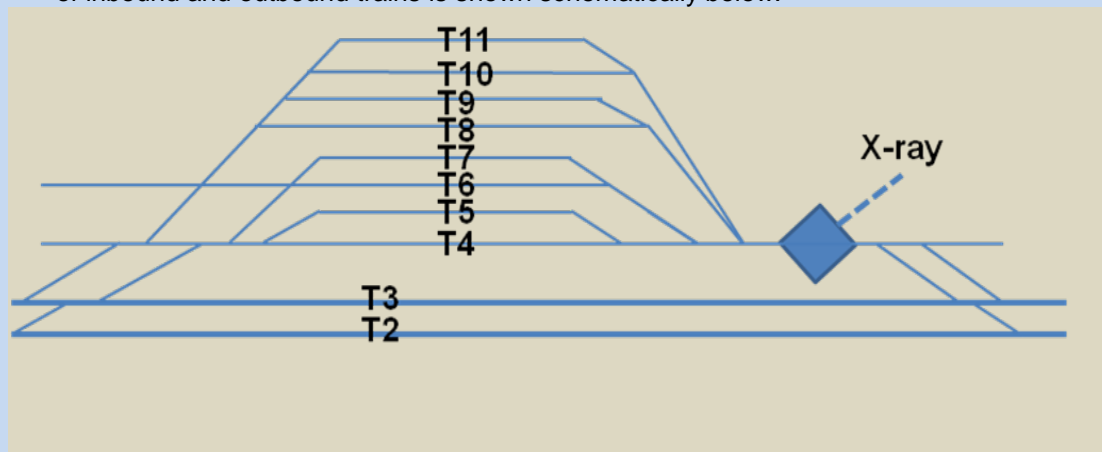
- 1) There is no need for permanent restriction of access to the platform designated for border checks on stopped passenger trains at the railway station, unless movement of trains is tense. Fencing, gates and other blocking measures should be used only during the passenger train control at the station to prevent attempts to board the train or disembark from the train illegally after arrival;
- 2) Onboard border checks on a moving train are recommendable in terms of shortening travel time. This mode of control provides some competitive advantages with the respect to bus and air connections, as there are no necessity to stop for control or to have controls before boarding and after leaving a means of transportation;
- 3) However, due to difficulties listed in subchapter 4.1.1, possibilities to introduce onboard border checks on moving trains should be assessed for each specific BCP and even for concrete trains at the same BCP, taking into account trains schedules, type of train, distances between initial station, intermediate stations, frontier station and the border, number intermediate stations and other factors and conditions specified in 4.1.1;
- 4) First of all, such introduction should be applied for high speed trains, moving from the departure station until the destination station without boarding and disembarking passengers at the intermediate stations;
- 5) In case of high speed trains moving without stopping at intermediate stations the possibility can be considered to conduct border checks at departure station before boarding;
- 6) Possibilities to introduce joint control of passenger trains by border authorities of both neighbouring countries should be also considered for each specific BCP and even for concrete trains at the same BCP, taking into account trains schedules, type of train, distances between departure (destination) and frontier stations, number of intermediate stations and other factors and conditions specified in subchapter 4.1.2;
- 7) There are technical possibilities for border agencies to obtain Advance Passenger Information (API) at rail transport, as national passenger information systems are interlinked with railway systems of neighbouring countries. Legal aspects of information exchange are more important in this respect. API would allowed shift supervisors at the BCP to distribute properly tasks for officers for more targeted interventions. This is very important in terms of limited time for train control. Another related issue is the creation of an automated system for analysis of received lists of passengers on the basis of risk indicators and watch lists, as well as the review of received lists of passengers by an assigned officer

Freight trains

- 1) Proper interaction between the border customs post at the frontier railway station and the inland customs post at the hub station is beneficial in terms of speeding control procedures. Some detailed examinations of cargo, especially with reloading, can be also done at the inland railway station, where cranes and other technical capacities for reloading are available.
- 2) Optimal division of responsibilities should be established between border guards and customs. Passport control of locomotive drivers, who usually shuttles between frontier railway stations and are well-known to officers, is a purely border guards responsibility. The rest, including external and internal inspection of locomotives, external and, where possible, internal examination of wagons, is a matter of flexible cooperation and interaction between border guards and customs officers aiming at fast and effective procedures. At railway BCP designed only for cargo movement a delegation of border guard responsibilities to customs officers can be considered.
- 3) Possibilities to use one X-ray scanner for operational needs of border agencies on both sides of the border sharing scanned images are provided in Box 5.

Box 5 Use of one X-ray scanner for operational needs of border agencies on both sides of the border

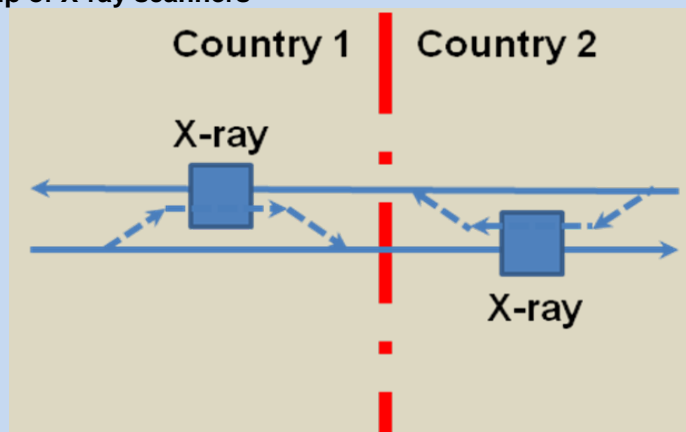
- Trains entering the country are a priority for border agencies of each country in terms of preventing illegal migration and smuggling. Therefore, scanners are usually installed at the inbound lines. Use of the same scanner for inbound and outbound traffic complicates traffic management and requires adoption (rebuilding) of railroad tracks network for passage trains of both directions through scanning facilities. An example of scanner's location for screening of inbound and outbound trains is shown schematically below.



T2, T3 – Main railroad lines; (T4-T7) – Siding roads for outbound train control; (T8-T11) – Siding roads for inbound train control;

- It can be proposed for such type of arrangements an option to screen all wagons, except locomotives, refrigerators and wagons designed for cargo accompanying staff, and to transmit all images to the neighbouring country. This would allow border authorities of the neighbouring country to select images for deeper examination basing on own risk indicators and profiles.
- An appropriate agreement and commitments from both sides of the border are needed, as the arrangements require some investments into railway tracks at the frontier station where X-Ray facilities are installed.
- At the later stage, if the authorities on the other side of the border decide to obtain their own X-ray scanner, appropriate backing-up can be organized. That means that in normal conditions each scanner screens inbound trains without sharing images.

Figure 30 Backing up of X-ray scanners



- In case of malfunction, breakage or maintenance work of the scanner at one side of the border, the authorities at the other side start screening trains in both direction and transmit images of outbound trains to the neighbouring country. This approach ensures backing up and uninterrupted use of screening capabilities on both sides in case of unavailability of either scanner.

8. PROPOSED MODEL OF IBM-ICT DEVELOPMENT

8.1 APPROACH TO THE CHAPTER

In this Chapter the IBM ICT Model is described and information exchange among main stakeholders is addressed. Recommendations are based on the findings given in Chapter 5 which contains a short description of various initiatives of the EU MS in general and in the ND MS in particular. It has been shown that the EU and international engagement is focusing on ICT information exchange along the global trade and transport chains. Results achieved are not complete yet, and thus further development is needed in order to establish a conglomerate of information networks that allows harmonised and finally standardised automated data exchange within the ND Region and beyond. This work is presently ongoing and it needs to be continued in order to contribute to the international and global project work in a way described and specified by EU and UN bodies mentioned in Chapter 5.

EU and international best practice recommended and experienced has been identified, and further developed by the authors of this Study; thus the Model presented has been formed aiming at intrinsic benefits of networking.

The ICT Model has been designed by defining stages of development, services to be provided and participants to be involved. Although not part of the ToR, it has been found necessary to briefly discuss the various ICT services operating as Port Community Systems. A prerequisite of success of modern IBM is the links to the relevant services.

Information exchange at road and rail BCP is intended to be developed in stages as listed below.

Finally, a list of “Next Steps” summarizes the various actions identified for the various stakeholders. Information exchange identified under “Next Steps” details the West-East traffic. In principle the same information exchange needs to be practised for East-West traffic.

8.2 ICT MODEL

Global trade and transport requirements aim at activities following the three principles to be:

- safe and secure;
- as fast as possible within a set time window;
- as economic as possible within the set environment (legal, technical, organisational).

Governments and investors engaged in international trade need to prepare and present a large quantity of information and documentation to public agencies and to other companies for carrying out the associated logistics and transport operations on a regular basis in order to meet the legal requirements associated to trade and transport operations.

Thus, information must be transmitted to several companies and authorities, each of which has its own procedures and processes (paper and/or electronically). The repetitions of similar processes, together with the cost they imply, are an obstacle for the development of international trade, both for companies and for the government. The EU, Ifis, and national governments have acknowledged this obstacle and are seriously engaged in establishing closely knitted ICT based networks whereby safe and secure information exchange is being practiced among all stakeholders¹⁰³.

It is important to note that best practice existing shall remain in place while additional features are needed to establish and operate an ND MS wide harmonized IBM – ICT Model

This observation leads to the need for establishing and operating a comprehensive data network that includes all modes of transport for travellers and goods to be transported across borders.

For the purpose of designing the ICT Model the data network shall utilise existing suitable networks available or under construction, to be linked to each other and to this Model. This can be achieved by:

- utilisation of the *EDIFACT messages for Multimodal Freight*;

¹⁰³ Details and examples are given in Chapter 5

- utilisation and further development of service functions for road and rail transport as already started in some countries, e.g. *Smart Corridor* (Finland- Russia) or *Go-Swift* (Estonia-Russia);
- Regional seaports and to some extent regional airports of Northern Dimension Member States are intended to be linked forming a comprehensive regional data network called the *ND Smart Corridor*, to be linked to the EU *Smart Borders* Programme where applicable.

However, in building this regional network the following obstacles need to be overcome:

- Data networks for multi modal use are not yet available as a standardized solution implemented in the region;
- Northern Dimension Member States so far have reached different levels of achievement in building ICT networks; harmonisation is required;
- Information exchange through automated processes including port community systems linked to the hinterland, and finally cross border, is yet to be initiated and implemented;
- Data exchange cross border into/from Russia and Belarus is hampered. The EU and ND MS need to agree on ways and means of safe and secure cross border information exchange;
- Voluntary agreements are more advantageous than rules and regulations initiated by the EU in order to benefit from the momentum of current development and to save time and cost for future development.

It is therefore that this Model is intended to come to life in stages; mainly these are:

- a) Model designed for EU Member States and the Northern Dimension Region
- (1) ICT Model described for EU Member States in the Northern Dimension Region;
 - (2) Agreements concluded on linking the ICT Model to other networks in operation/under development;
 - (3) ICT Model linked to existing data networks for all modes of transport
 - (4) Data are available at road and rail Border Crossing Points;
 - (5) Data are available in other data networks by input from road and rail Border Crossing Points;
 - (6) ICT Model to be put in operation as a pilot functioning along specified trade and transport corridor(s).

By end of stage a. EU regional port community systems of seaports and selected airports¹⁰⁴ are linked to the ICT Model.

- b) Model designed for Russia, Belarus and western Northern Dimension countries
- (1) ICT model described;
 - (2) Agreements concluded on linking the ICT Model to other networks in existence/under development;
 - (3) ICT model linked to existing data networks for all modes of transport;
 - (4) Data are available at road and rail Border Crossing Points;
 - (5) Data are available in other data networks by input from road and rail Border Crossing Points;
 - (6) ICT Model to be put in operation as a pilot functioning along specified trade and transport corridor(s).

By the end of this stage, EU, Russian and Belarusian regional port community systems of seaports and selected airports¹⁰⁵ are linked to the ICT Model.

While for stage a. work could be started on short notice (relevant agreements, technical description, experience is available in some ND MS¹⁰⁶) while particularly Estonian and Finnish experience could serve as a springboard for region wide harmonized development, stage b. needs to await the

¹⁰⁴ Seaports, airports, dry ports/inland depots of relevance for west – east travellers and goods transport are to be identified

¹⁰⁵ Seaports, airports, dry ports/inland depots of relevance for west – east – west travellers and goods transport are to be identified

¹⁰⁶ *Smart Corridor*, *Go-Swift*, and port community systems are in place

conclusion of successful agreements among the countries concerned. This requires further initiatives of the EU and the ND bodies¹⁰⁷.

It is noted that Russia and Belarus are actively working towards an enlarged CU. CU members may therefore increase in number from the present three member states. This process of developing the CU may facilitate modern border management (BM) and ICT practices. This means that potential should be available in Belarus and Russia to conclude a joint agreement on safe and secure data exchange cross border, and to contribute actively to the ND MS requirements.

Regional separation between Eastern and Western ND MS should be avoided where possible.

Although not part of the given ToR for this Study it is useful to include seaports and some selected airports in the transport chain by exploiting the benefit of information needed within a modern IBM at both the road and rail borders of the Region.

Sea ports and airports are managed already under internationally accepted and implemented jurisdiction, and are fully informed in detail on vehicles, persons and goods arriving and leaving through their area. This information exchange among certain players is widely automated. Ports hold detailed information on goods, travellers, vehicles and packages (sea containers) prior to arrival at the port of destination¹⁰⁸. Still further activities are required: The EU Ports Association ESPO has addressed the EU and recommended steps for harmonization and linking ports to hinterland destinations¹⁰⁹.

Boarding/disembarking of travellers, as well as loading and discharge processes of goods are closely related with border guards/police, customs and other regulatory agencies and formalities. All relevant data of goods and persons entering or leaving the territory of the port community are well known by the respective government, and thus this information shall be part of the ICT Model.

Including port community

data into this ICT Model for IBM follows the principle of generating information only once, and thereby acting safely and securely, avoiding risks of losing time, making mistakes, and increasing cost

8.2.1 Services to be provided

The Model shall provide various services; which can be categorized as follows:

- a) IBM relevant services as:
- (1) Generation and exchange of cargo, transporting vehicles, and packages (container) data for import, export and transit;
 - (2) Data generation and exchange of travellers' and related vehicles of transport (car, bus, train) data entering or leaving the country;
 - (3) Participants to the service are automatically and continuously informed on goods and travellers arriving at a given time at the BCP (ETA – expected time of arrival - message). Once cleared at the BCP the clearing message will be generated (D – departure - message) and thus the information (ETA) is available in the net for the next destination.

¹⁰⁷ It is understood by stakeholders that agreements are in discussion defining safety and security of data handling

¹⁰⁸ Data specification and data exchange is provided by the relevant UN and EU bodies as explained in Chapter 5

¹⁰⁹ Recommendations include:

- Fully electronic and automated procedures for maritime transport of intra-community freight/containers
- An electronic T2L (e-T2L or equivalent document) to facilitate and simplify compliance with customs legislation by proving community status of the goods through electronic means.
- Facilitation of the procedures linked to intermodal transport (inland barge and rail) by eliminating the need for a transit document from the port of discharge to the inland terminal where the final customs clearance takes place.
- A one-stop-shop and single window for import goods at Border Inspection Post to facilitate the coordination of physical inspections by different authorities and speed up the submission of information and the release of the cargo in ports. See (ESPO policy paper on Customs, 2012), December 2012

Due to various steps launched by the EU and the western members of the ND category data related to the services above are already specified and dealt with by the stakeholders concerned¹¹⁰.

However, the network needs to be widened and include port community systems. This is explained further below, see: Port Community Systems.

Data exchange across border appears as another challenge to be addressed. The EU engagement and further negotiations with Belarus and Russia have not yet resulted in agreements and definitions of safe and secure data exchange across border in a harmonized automated way. However, benefits of ICT are limited while harmonized data exchange across border is hampered¹¹¹.

The two main aspects of

- linking IBM relevant data to port community systems
- ND MS agreements with Belarus and Russia need to be followed to cover category a) part of the Model.

b) Value added services as:

- (1) Traffic and weather information along the specified road transport corridor. This information includes messages on obstacles, accidents, re-routing advice, queuing at the BCP and related time estimates, parking advise for vehicles, estimated waiting time for certain categories of vehicles and cargo, as:
 - i. Cars;
 - ii. Buses;
 - iii. Trucks booked to pass through the green channel (AEO preferential treatment applied);
 - iv. Trucks booked **not** to pass through the green channel;
 - v. Special vehicles;
- (2) Tracking and tracing of vehicles and goods loaded on to them; this is applicable for both road and rail transport¹¹².

Category b) data are already specified in various projects, experience in ongoing projects is available¹¹³. However, the experience, technical expertise and legally binding agreements need to be transferred to other ND members and be implemented in a harmonised way.

Combination of categories a) and b) will result in a complex data network functioning in all ND member states. Following the Finnish-Russian initiative mentioned in Chapter 5, this is recommended to be called *ND Smart Corridor Net*. Finally, category a) and b) services should be provided along international transport corridors going beyond the geographical limits of the *ND Smart Corridor*.

8.2.2 Participants to the ND Smart Corridor Net

In existing networks the main participants needed in a network as traders, logistics providers, financial institutions and government agencies are identified and linked already. Main stakeholders are i. a.:

- a) Public sector:
Ministry of finance (customs), ministry of interior (border guards/police), ministry of transport (maritime-, sea port-, airport-, road and rail administrations), ministry of health, ministry of agriculture.
- b) Private sector:
Sea ports/terminals, shipping companies, airports, inland ports/dry ports¹¹⁴, airlines, forwarding agents, shipping and clearing agents, hauliers, railway operators, banks.

¹¹⁰ See national agreements concluded by the ND MS

¹¹¹ Example: observations at the Finnish – Russian road border at Vaalima revealed peak queuing of some 30 km in Mid December 2012

¹¹² This can be achieved by using various applications already in place, i.a.: the *Automatic Identification System (AIS)*

¹¹³ See: Finnish-Russian *Smart Corridor* initiative, and the Estonian *GoSwift* project described above

It is recommended to utilise such existing networks and develop these further to the needs of the *ND Smart Corridor Net*. This requires agreements to be concluded with both the public and the private sector representatives. The needs identified should focus on data to be exchanged cross border on safe and secure grounds. The existing agreements concluded with Russia and Belarus should be reviewed and extended where possible. Details are given in the tables identifying information at road and rail borders, see below.

8.2.3 Port Community System

Port community systems (PCS) are in place and/or in the process of development whereby finally an electronic platform is available which connects the multiple systems operated by a variety of organisations that make up a seaport, airport or inland port community. PCS is shared in the sense that it is set up, organised and used by firms in the same sector¹¹⁵.

Requirements for success:

Good collaboration between all the parties involved is one of the success factors of a PCS. Distinctive for all PCSs is the link to customs, border guards/police and airport/seaport authorities and other institutions such as veterinary offices.

It appears the best option to collaborate in the constitution of a SW environment, providing the required B2A (Business to Administration) and G2B (Government to Business) transactions from existing B2B (Business to Business) transactions.

In short, a PCS:

- is a neutral and open electronic platform enabling intelligent and secure exchange of information between public and private stakeholders in order to improve the competitive position of the sea, air ports', and dry ports communities;
- optimises, manages and automates port and logistics efficiently in safe and secure processes through a single submission of data and connecting transport and logistics chains;
- serves all modes of transport and can cover international transport corridors.

The PCS provides for the electronic exchange of information between all port and logistics sectors, and public agencies involved. It is acknowledged as the most advanced method for the exchange of information within a single or national community infrastructure, linked to international stakeholders. A relatively wide variety of companies are involved, including terminal operators, transport operators (maritime, air, road and rail), freight forwarders, customs, border guards/police and other cross-border regulatory bodies and port authorities.

PCS has the ability to act as a National SW or to be integrated into National SW facilities that EU MS are developing in response to recent directives and policies from the European Commission¹¹⁶. Assuming that a harmonized legal basis was in place the PCS could provide international services. The PCS embedded SW simplifies and facilitates the process of providing and sharing the necessary information to fulfil regulatory requirements for both operators and authorities in the fields of transport and trade.

The techniques used in risk management/profiling to comply with regulations can be improved by allowing a SW to systematically gather information from various sources and economic agents, in order to detect inconsistencies due to non-compliance with regulations or unintentional errors, acting as a transport and logistics clearing house.

¹¹⁴ Industrial groups have emerged combining various businesses under one umbrella: i. a.: The Russian group *Global Ports* operates three sea container port facilities in Russia – Russian Ports segment, including Petrolsport and Moby Dik in the Port of St. Petersburg and in Nakhodka; two container terminals in Finland – Finnish Ports segment, including Kotka, Helsinki; further more the largest independent oil products terminal in the Baltic Sea Basin (Vopak E.O.S.) – Oil Products Terminal segment, and one inland terminal (Yanino) in the St. Petersburg region.

¹¹⁵ Overview of e-maritime initiatives in selected European ports EPSCA, 2012

¹¹⁶ (Directive 2010/65/EU , updated 2012) UN/CEFACT, WCO; for more information see Chapter 5

SW allows to:

- Simplify the compliance of regulations by economic and transport operators by presenting the information required for complying the formalities only once. The SW facility distributes this information to all the competent government authorities (customs, border guards/police, EC and other authorities, inspection bodies, etc.);
- Improve information availability and management to all competent bodies.
- Increase the reliability of the information supplied as all competent bodies manage the same data for the same operations avoiding inconsistencies or fraud;
- Speed up and simplify the processing of necessary trade documents introducing automated and computer assisted tasks. Officers are able to concentrate on risky operations and traders get non-risky goods movements faster;
- Harmonise and share information among different government systems and among different countries;
- Enhance the efficiency and level of control of official organisations resulting in cost savings.

In EU MS there is valuable experience, particularly in ports, for the building up of SW facilities in compliance with the EU directive¹¹⁷.

But there is still an important path to follow as the interpretation and application of this directive needs to be the same in all ND countries. The implications of establishing appropriate links with the SW facilities for reporting formalities for arriving in and/or departing from ports with other systems need to be harmonized. Main subjects for clarification among the ND countries are:

- the creation of integrated system or interconnected system environments,
- the adaptation of the UN standards in each ND MS for the electronic submission of trade and transport related formalities.

Finally the PCS via the SW, has to harmonise and simplify administrative procedures in trade and transport standardizing the electronic transmission of information and rationalizing reporting formalities.

8.2.4 Information exchange - Road Borders

At road borders the following information is needed to be received by electronic data interchange (EDI) prior to the physical arrival of the vehicle/person:

- a) Short term information to be provided:
 - Declaration data of goods as requested by the national services at the BCP; reference to declaration procedures based on joint risk analysis/profiling of border guards/police and customs (green corridor for AEOs if applicable);
 - Declaration data of vehicles transporting the goods as declared; reference to declaration procedures based on joint risk analysis/profiling of border guards/police and customs (green corridor for AEOs if applicable);
 - Declaration data of drivers steering the vehicles loaded with goods as declared; reference to declaration procedures based on joint risk analysis/profiling of border guards/police and customs (green corridor for AEOs if applicable).
- b) Mid-term information to be provided:
Declaration data of travellers in buses, API is to be applied¹¹⁸.

¹¹⁷ Directive 2010/65/EU, viz: para (5): cooperation between competent authorities, and Article 5: electronic submission of data

¹¹⁸ Based on Guidelines on Advanced Passenger Information, ICAO, 2010, to be used as orientation for bus and rail travellers

Electronic information exchange	
Electronic information exchange between the main stakeholders follows	
•	the organizational principle of
➤	one stop at the BCP
➤	joint access to the BM information system
➤	joint controls practiced
➤	activities (data analysis and data entry) are performed in parallel where applicable.
•	two stages as mentioned above:
➤	stage a): data exchange is among EU and ND MS
➤	stage b) will follow, once agreements are concluded on safe and secure data handling with the EU/ND and Russia/Belarus are finalized and in place. This process of stipulating agreements may be followed in stages again: non-confidential data exchange should be agreed upon first.
It is evident that data exchange in stage b) provides considerable advantages and enhanced efficiency in trade and transport in the Region due to corridor-wide harmonized information exchange. It is expected that mutual benefit for all countries concerned will result in measurable time and cost savings particularly at the BCP.	

Not including regional wide PCS would potentially contribute to exacerbate the sometimes alarming situation at the BCP.]

Summary of information exchange is given in the tables below.

Table 4 Information at road borders limited to data handling (departing traffic to East) stage a (data prepared by authorities remain with EU stakeholders)

No.	Information received processed at the BCP	Source of Information	Recipient	Remark
Information prior to arrival at the BCP				
1	Goods declaration	National Customs ¹¹⁹	Customs Management System BCP	National Customs is linked to the PCS and receives full information from ports, air ports, etc.
2	Risk analysis results on goods declared	National Customs/Border Guards joint Risk Assessment Centre	Customs Management System BCP	Joint Risk Assessment Center is linked to EC as i.a.: DG Home, OLAF, Taxud, Container Code is recognised
3	Risk analysis results on vehicle declared	National Customs/Border Guards joint Risk Assessment Centre	Border Guards Management System BCP	Joint Risk Assessment Center is linked to EC as i.a.: DG Home, OLAF, Taxud
4	Risk analysis results on driver/traveller declared	National Customs/Border Guards joint Risk Assessment Centre	Border Guards Management System BCP	Joint Risk Assessment Center is linked to EC as i.a.: DG Home, OLAF, Taxud
5	Expected time of arrival (ETA) at BCP	Departing Customs clearing point/sea port/air port	Customs/Border Guards Management System BCP	Customs/Border Guards prepare for clearing process at BCP
6	Update 1 ETA along route	Truck	Customs/Border Guards BCP	Truck linked to tracking/tracing along

¹¹⁹ National Customs receives full information from declarant, customs broker, etc. according to procedures in place already

No.	Information received processed at the BCP	Source Information of	Recipient	Remark
			Management System	route. Customs/Border Guards prepare for clearing process at BCP
7	Update 1+N ETA along route	Truck	Customs/Border Guards BCP Management System	Truck linked to tracking/tracing along route. Customs/Border Guards prepare for clearing process at BCP
Information generated at and submitted from BCP				
8	Actual time of arrival (ATA)	Truck/BCP management system	Customs/Border Guards BCP Management System	Truck enters clearance lane as advised by BCP management visual system (green corridor procedure); alternatively truck enters parking slot as advised by BCP management visual system (non-green corridor procedure)
9	Data comparison by analysis of digital data and physical results	Customs/Border Guards BCP Management System	Truck driver	Results of data comparison and decisions entered into the BCP management system
10	Actual Time of Departure (ATD) and next ETA	BCP Management system	Customs/Border Guards next BCP	Next BCP procedures could be on same territory (joint BCP) or further away (separate BCP)
11	Procedure applied: green corridor or non- green corridor	BCP Management system	Customs/Border Guards next BCP	Customs/Border Guards prepare for clearing process at next BCP neighbouring country
Further information processing on stage b.				

Note: In principle the same information exchange is practised for East-West traffic.

Table 5 Information at road borders (departing traffic to East, separate BCP) stage b (note the changes in comparison to Table 4: data prepared by authorities are exchanged across border to the neighbouring country)

No.	Information received processed at the BCP	Source Information of	Recipient	Remark
Information prior to arrival at the BCP				
1	Goods declaration	National Customs (EU ND MS)	Customs BCP neighbouring country	National Customs is linked to the PCS and receives full information from ports, air ports, etc.
2	Risk analysis results on goods declared	National Customs/Border Guards	Customs BCP neighbouring country Management System	Joint Risk Assessment Center of national Customs/Border Guards is linked to EC as i.a.: DG Home, OLAF, Taxud, Container Code is recognised. BCP management system at neighbouring country links Customs and Border Guards
3	Risk analysis	National	Border Guards BCP	BCP management system at

No.	Information received processed at the BCP	Source of Information	Recipient	Remark
4	results on vehicle declared	Customs/Border Guards	neighbouring country Management System	neighbouring country links Customs and Border Guards
	Risk analysis results on driver/traveller declared	National Customs/Border Guards	Border Guards BCP neighbouring country Management System	BCP management system at neighbouring country links Customs and Border Guards
5	Expected time of arrival (ETA) at BCP	Departing National Customs/Border Guards	Customs/Border Guards BCP neighbouring country Management System	Customs/Border Guards prepare for clearing process at BCP
6	Update 1 ETA along route	Truck	Customs/Border Guards BCP, Customs/Border Guards BCP neighbouring country Management System	Truck linked to tracking/tracing along route. Applicable if queuing is between BCP. Customs/Border Guards prepare for clearing process at BCP
7	Update 1+N ETA along route	Truck	Customs/Border Guards BCP, Customs/Border Guards BCP neighbouring country Management System	Truck linked to tracking/tracing along route. Applicable if queuing is between BCP. Customs/Border Guards prepare for clearing process at BCP
Information generated at and submitted from BCP				
8	Actual time of arrival (ATA)	Truck/BCP management system	Customs/Border Guards BCP neighbouring country Management System	Truck enters clearance lane as advised by BCP neighbouring country management visual system (green corridor procedure); alternatively truck enters parking slot as advised by BCP management visual system (non-green corridor procedure)
9	Data comparison by analysis of digital data and physical results	Customs/Border Guards BCP	Truck driver, Customs/Border Guards BCP neighbouring country Management System	Results of data comparison and decisions entered into the BCP management system
10	Actual Time of Departure (ATD) and next ETA	BCP management system	Customs/Border Guards next BCP neighbouring country, or destination Management System	Next BCP neighbouring country/destination management system is informed on all relevant data (summary of results) on goods, vehicle, driver/traveller as cleared on the previous BCP
11	Move to BCP neighbouring country or to destination; tracking, tracing along the route applied			
12	Information on results of the clearing BCP forwarded to BCP neighbouring country or to destination (Customs House, dry port, etc)			

Note: In principle the same information exchange is practised for East-West traffic.

8.2.5 Information exchange - Rail Borders

Following the EU target of developing an integrated approach to freight corridor management, including track access charges for railways¹²⁰, the following information is needed at rail borders to be received by EDI prior to the physical arrival of the train/person:

¹²⁰

A true internal market for rail services White Paper on Transport, EU, 2011

- a) Short term information to be provided¹²¹:
- Declaration data of goods as requested by the national services at the BCP¹²²; reference to declaration procedures based on joint risk analysis of border guards/police and customs (simplified procedure for AEO if applicable)
 - Declaration data of rolling stock transporting the goods declared; reference to declaration procedures based on joint risk analysis/profiling of border guards/police and customs (simplified procedure for AEO if applicable)
 - Declaration data of locomotive drivers and staff of trains loaded with goods as declared; reference to declaration procedures based on joint risk analysis/profiling of border guards/police and customs (simplified procedure for AEO if applicable)

The combined use of the CIM/SMGS Consignment Note¹²³ needs to be followed further¹²⁴. The recent experience is regarded benefiting all stakeholders concerned. However, the full electronic information on railways operations may take some more time, at least on the EU side as electronic data exchange is regulated by the EU requiring more time, see the time frame until 2021¹²⁵. Apart from EU and ND MS wide agreements still under development, bi-national agreements are in place already (see Chapter 5). This provides a platform for exchanging electronic data exchange, including tracking and tracing¹²⁶.

- b) Mid-term information to be provided are given in the tables below
Declaration data of travellers in trains

Table 6 Information at rail borders limited to data handling (departing traffic to East) stage a (data prepared by authorities remain with EU stakeholders and are not subject to further dissemination until relevant agreements are in place)

No.	Information received/processed at the BCP	Source of Information	Recipient	Remark
Information prior to arrival at the BCP				
1	Goods declaration	National Customs	Customs Management System BCP	National Customs is linked to the PCS, National Railways, and receives full information from ports, air ports, etc.
2	Risk analysis results on goods declared	National Customs/Border Guards joint Risk Assessment Centre	Customs Management System BCP	Joint Risk Assessment Centre is linked to EC as i.a.: DG Home, OLAF, Taxud, Container Code is recognised

¹²¹ Russian Railways informed that work is being conducted to develop electronic data exchange for waybills

¹²² CIM/SMGS consignment note data are to be transmitted not only for goods but for the entire train according to the actual Guidelines

¹²³ CIM: Uniform Rules Concerning the Contract for International Carriage of Goods by Rail. SMGS: Agreement on International Goods Transport by Rail

¹²⁴ Multi client trains have been dispatched in cooperation with Russian Railways, Belarusian Railways, et. al. Trains crossed borders using the combined CIM/SMGS Consignment Note. This document allows transit times to be reduced and costs to be saved whilst increasing legal certainty for the parties to the contract of carriage. The use of these documents and electronic forwarding of related data is conducted on a voluntary basis.

¹²⁵ Telematic Applications for Freight -Technical Standards for Interoperability (TAF TSI) is an EU regulation, managed by the European Railways Agency (ERA) addressing electronic data exchange between actors in freight rail distribution and operations. A new Master Plan was delivered to the EU Commission on 13 May 2012. The time frame includes activities up to 2021.

¹²⁶ For the EU wide operation of freight trains, tracking and tracing of rolling stock etc., further work is being expected on the European network: *UIC eBusiness Conference* Paris, 18th October 2012, Stephan Breu

No.	Information received/processed at the BCP	Source of Information	Recipient	Remark
3	Risk analysis results on rolling stock declared	National Railways ¹²⁷ , National Customs/Border Guards	Border Guards BCP Management System; non-secret data to: National Railways	Joint Risk Assessment Centre is linked to EC as i.a.: DG Home, OLAF, Taxud
4	Risk analysis results on driver/traveller declared	National Customs/Border Guards joint Risk Assessment Centre	Border Guards BCP Management System	Joint Risk Assessment Centre is linked to EC as i.a.: DG Home, OLAF, Taxud
5	Expected time of arrival (ETA) at BCP	Departing Customs clearing point/sea port/air port/shunting station, National Railways	Customs/Border Guards BCP Management System, National Railways	Customs/Border Guards, National Railways prepare for clearing process at BCP
6	Update 1 ETA along route	Train	Customs/Border Guards BCP Management System, National Railways	Train linked to tracking/tracing along route. Customs/Border Guards, National Railways prepare for clearing process at BCP
7	Update 1+N ETA along route	Train	Customs/Border Guards BCP Management System, National Railways	Train linked to tracking/tracing along route. Customs/Border Guards, National Railways prepare for clearing process at BCP
Information generated at and submitted from BCP				
8	Actual time of arrival (ATA)	Train/BCP management system	Customs/Border Guards BCP Management System, National Railways	Train enters shunting station for clearance, preferably green corridor procedure based on combined CIM/SMGS consignment note
9	Data comparison by analysis of digital data and physical results	Customs/Border Guards BCP Management System	National Railways, train driver	Results of data comparison and decisions entered into the BCP management system
10	Actual Time of Departure (ATD) and next ETA	BCP Management system, National Railways	Customs/Border Guards next BCP, National Railways neighbouring country	Next BCP procedures could be on same territory (joint BCP) or further away (separate BCP)
11	Procedure applied: preferably green corridor	BCP Management system	Customs/Border Guards, National Railways neighbouring country BCP	Customs/Border Guards, National Railways neighbouring country prepare for clearing process at BCP neighbouring country
Further information processing on stage b.				

¹²⁷

Based on EU: ERA/REC/02-2012/SAF

Note: In principle the same information exchange is practised for East-West traffic.

Table 7 Information at rail borders (departing traffic to East, separate BCP) stage b (data prepared by authorities are exchanged across border to the neighbouring country)

No.	Information received processed at the BCP	Source of Information	Recipient	Remark
Information prior to arrival at the BCP				
1	Goods declaration	National Customs	Customs BCP Management System	National Customs is linked to the PCS, National Railways, and receives full information from ports, air ports, etc. of both national country and neighbouring country
2	Risk analysis results on goods declared	National Customs/Border Guards joint Risk Assessment Centre	Customs BCP Management System	Joint Risk Assessment Centre of national Customs/Border Guards is linked to EC as i.a.: DG Home, OLAF, Taxud, Container Code is recognised. BCP management system at neighbouring country links Customs and Border Guards
3	Risk analysis results on rolling stock declared	National Railways ¹²⁸ , National Customs/Border Guards	Border Guards BCP Management System; non-secret data to: National Railways	Joint Risk Assessment Centre is linked to EC as i.a.: DG Home, OLAF, Taxud, and to risk assessment at departing country;
4	Risk analysis results on driver/traveller declared	National Customs/Border Guards joint Risk Assessment Centre	Border Guards BCP Management System	Joint Risk Assessment Centre is linked to EC as i.a.: DG Home, OLAF, Taxud, and to risk assessment at departing country
5	Expected time of arrival (ETA) at BCP	Departing Customs clearing point/sea port/air port/shunting station, National Railways	Customs/Border Guards BCP Management System, National Railways	Customs/Border Guards, National Railways prepare for clearing process at BCP
6	Update 1 ETA along route	Train	Customs/Border Guards BCP Management System, National Railways	Train linked to tracking/tracing along route. Customs/Border Guards, National Railways prepare for clearing process at BCP
7	Update 1+N ETA along route	Train	Customs/Border Guards BCP Management System, National Railways	Train linked to tracking/tracing along route. Customs/Border

¹²⁸

Based on EU: (ERA/REC/02-2012/SAF)

No.	Information received processed at the BCP	Source of Information	Recipient	Remark
				Guards, National Railways prepare for clearing process at BCP
Information generated at and submitted from BCP				
8	Actual time of arrival (ATA)	Train/BCP management system	Customs/Border Guards BCP Management System, National Railways	Train enters shunting station for clearance, preferably green corridor procedure based on combined CIM/SMGS consignment note
9	Data comparison by analysis of digital data and physical results	Customs/Border Guards BCP Management System	National Railways, train driver, National Railways neighbouring country, train driver neighbouring country ¹²⁹ ; Customs/Border Guards neighbouring country	Results of data comparison and decisions entered into the BCP management system linked to EC as i.a.: DG Home, OLAF, Taxud
10	Actual Time of Departure (ATD) and next ETA	BCP Management system, National Railways	Customs/Border Guards neighbouring country BCP, National Railways neighbouring country	Next BCP procedures could be on same territory (joint BCP) or further away (separate BCP)
11	Move to BCP neighbouring country or to destination; tracking, tracing along the route applied			
12	Information on results of the clearing BCP forwarded to BCP neighbouring country or to destination (Customs House, shunting station, dry port, etc.)			

Note: In principle the same information exchange as above is practised for East-West traffic.

¹²⁹

In case swap of staff at BCP

9. GUIDELINES AND PRACTICAL RECOMENDATIONS

9.1 ONE-STOP-WINDOW RELATED GUIDELINES AND RECOMMENDATIONS

The recommendations are provided on the basis of the concept of Integrated Border Management¹³⁰ (also known as “Coordinated” and “Collaborative” Border Management), other recognized international instruments, collected materials about initiatives and best practises in the ND countries and beyond the region. Existing regional challenges and specificities are also taken into account.

All the countries in the ND area are confronted with the same challenges of growing cross-border movements. Cooperative approaches rather than unilateral actions are more likely to yield improvements.

The recommendations deriving from the Study findings are grouped according to the possible NDPTL approaches to their implementation:

- 1) Region-wide activities that can be supported by the NDPTL in terms of technical dialogue among border agencies and other stakeholders on the one-stop-window application;
- 2) Support of bilateral initiatives and projects among the ND area countries, aimed at the elimination of non-infrastructure bottlenecks and infrastructural impediments;
- 3) Recommendations that could be addressed to the respective EU institutions and authorities in the CU countries.

9.1.1 Region-wide technical dialogue on the one-stop-window application

The NDPTL can contribute to the wider dissemination of such knowledge and expertise, offering the opportunity to the border agencies of the ND countries to share and learn from each other's experiences in one-stop-window application. The emphasis should be given to elimination of non-infrastructure bottlenecks.

The initiated dialogue on feasibility of uniform standards and available tools will facilitate mutual understanding on both sides of the border. It will help ensure that the BCP management systems developed to implement facilitation measures are more likely to be compatible with similar developments in the neighbouring countries.

The ultimate goal is specification and adoption of regionally recognized standards and recommended practices concerning road BCP management, similar to the existing for seaports and airports. Such standards balancing between facilitation and security would mutually benefit border agencies and forwarding/trucking companies.

The initiated dialogue should strongly encourage the use of existing recommendations, standards and tools that have been developed over the past number of years by intergovernmental agencies and international organizations such as UNECE, UNCTAD, WCO, IMO, and ICAO.

The International Convention on the Harmonisation of Frontier Controls of Goods and the TIR Convention provide many relevant standards and full adherence to the letter and spirit of these conventions is a unifying factor in this respect.

The proposed technical dialogue can take the form of a project encompassing a conference, workshops and a permanent working group on elaboration of common standards with participation of representatives from the border and transport agencies from the ND countries. Two border agencies (one from the EU countries and another from Russia or Belarus) should assume leading and coordinating role in arrangements of planned events and consolidating outputs.

The NDPTL could initiate and coordinate this work together with Frontex, TAXUD, the EU-Russia Working Group on Customs Border Issues and other respective bodies and contribute with involvement of transport authorities as stakeholders.

In Table 8 are presented issues and problems to be included into abovementioned region wide dialogue.

¹³⁰ (European Commission, “Guidelines for Integrated Border Management in EC External Cooperation”, EuropeAid, November 2009)

Table 8 Recommended topics for dialogue

No.	Objectives	Recommendable actions	Guidelines	Reference to the appropriate part of the Study
1.	Improvement of passenger traffic management model at road BCP	Conference, workshops, a permanent working group on elaboration of common standards	Possibilities for enhancement could be discussed on the basis of the recommended models provided in the Study.	See chapter 7
2.	Improvement of freight traffic management model at road BCP			
3.	Synchronisation of shift changes and technological breaks time at both sides of the border	Conference, workshops, a permanent working group on elaboration of common standards	Coordinated organizational and normative regulatory improvements, fostering client-oriented service mentality, are needed.	See subchapter 2.4.5
4.	Effective and efficient use of manpower at the road BCP, possibilities for new forms of cooperation between border guards and customs officers in terms of delegation and sharing duties and responsibilities.	Conference, workshops, a permanent working group on elaboration of common standards	Performance of border and customs control of trucks by customs officers and delegation more responsibilities of cars and buses control to border guard officers is recommendable in those BCP, where it will result in saving resources or in accelerating border crossing.	See subchapter 2.2.5-2.2.7
5.	Possibilities for integration of the data entering into information systems of institutions involved.	Conference, workshops, a permanent working group on elaboration of common standards	All the information captured once at the BCP should be accessible to both border agencies for transferring into their systems.	See subchapter 7.3.3
6.	Reduction of the scope of so called transport control at BCP, maintaining control only in terms of compliance with the permit system of international road transportations.	Conference, workshops, a permanent working group on elaboration of common standards	It can be recommended for the Russian and Belorussian authorities, as is done in the EU countries.	See subchapter 2.3.6
7.	Alternative compensatory measures at the BCP where one stop principle for passenger traffic cannot be fully implemented due to infrastructural constraints.	Conference, workshops, a permanent working group on elaboration of common standards	Exploration of possibilities based on use of ICT, coordinated interaction between border guard and customs officers, proper division and delegation of responsibilities and etc.	See subchapters 2.2.5-2.2.9

No.	Objectives	Recommendable actions	Guidelines	Reference to the appropriate part of the Study
8.	Elaboration of Key Performance Indicators (KPIs) on the bases of data from electronic traffic flow management system at the BCP.	Conference, workshops, a permanent working group on elaboration of common standards	KPIs should integrate measurements of times of proceedings on one side of the border or, ideally, on both sides, enabling to identify the weakest (most time-consuming and posing delays) links in the procedures chain and take corrective measures.	See subchapters 2.4.4, 6.2.4
9.	Enhancement of the customs risk management systems on the basis of introduction of preliminary information and other opportunities.	Conference, workshops, a permanent working group on elaboration of common standards	The possibilities to introduce the following next steps should be explored: - Broader sharing of risk analysis results between customs agencies on the both sides of the border; - Exchanges of good practices on conducting risk analysis; - Broader support and exchange of information need for effective functioning of the risk analysis system and crime investigation on the other side of the border.	See subchapters 2.3.7, 6.2.5
10.	Single office as a good practice on the way towards Single Window.	Conference, workshops, a permanent working group on elaboration of common standards	Single office is recommendable for many BCP as a transitional measure until a number of control services at the border are reduced.	See subchapter 2.3.4
11.	Further enhancement of the Automatic Number Plate Recognition systems.	Conference, workshops, a permanent working group on elaboration of common standards	Possibilities for enhancement could be discussed on the basis of the conclusions provided in the Study.	See subchapter 2.4.2 of

9.1.2 Support of bilateral initiatives and projects among the ND area countries

The aim is to foster bilateral cooperation initiatives between border agencies at both sides at the border and support actions eliminating disparities and equalizing throughput at the both sides of the border, avoiding unilateral one side improvements.

It is expected that the projects coordinated by the NDPTL would involve other cooperation instruments from the region such as Baltic Sea Strategy and European Neighbourhood Policy Instrument allowing accumulating necessary financial recourses for this matter. Opportunities to attract private capital investment as one of the alternative sources of financing for BCP development through public-private partnership should be explored as well.

Table 9 Recommended actions eliminating non-infrastructure bottlenecks and infrastructural impediments

No.	Objectives	Recommendable actions	Guidelines	Reference to the appropriate part of the Study
1.	Avoid congestions at the entrance to BCP and difficulties in handling sequence of admission to the BCP.	<i>Introduction of electronic queue management system with arrangement of a waiting terminal (parking lot) in close proximity to the BCP.</i>	1. Optimal balance between self-financing of the system and governmental support and oversight; 2. It is recommendable to connect the queue management system with the trucks movement management system in the BCP area into a joint synchronised system; 3. To avoid introduction, where possible, of the electronic queue management system for passenger traffic, taking as a priority other measures to speed up control procedures for queues elimination.	See subchapter 2.4.1
2.	Optimisation of transportation schedules and ensuring predictable goods arrival time.	Promotion and support of introduction of the identical electronic queue management systems in the neighbouring regions	For truck drivers transporting goods until final destination across a few borders would be beneficial to book border crossing time at all BCP on the route.	See subchapter 2.4.1
3.	Elimination of infrastructural bottlenecks.	Widening of the narrow road stretches between the BCP and the border line at the selected BCP on both sides of the border in a coordinated manner with arrangement of separate corridors for empty trucks and trucks with AEO goods, green corridors for passenger cars.	Actions cover infrastructural impediments on both sides of the border.	See subchapter 2.4.3, 2.3.8
4.	To evaluate feasibility and foster/promote the joint border control concept at the EU countries border with Russia and Belarus.	Conclusion of a bilateral agreement on jointly operated BCP and rearrangement of one of existing BCP for joint control.	Pilot project on joint control at existing BCP can be introduced where it contributes to speeding up border checks and requires minimal investments for constructional rearrangements. Depending on local conditions, joint control can be applied either only for passenger or cargo traffic.	See subchapter 3.3
5.	Common approach in tackling corruption.	Anticorruption measures: - Joint periodic assessments of the risk	Could serve as a pilot project for further broader dissemination in the region.	See subchapter 2.4.7

No.	Objectives	Recommendable actions	Guidelines	Reference to the appropriate part of the Study
		and threat of corruption on the border between neighbouring countries; - Joint workshops for internal security units of neighbouring countries border agencies on exchange of best practises.		
6.	To guide and encourage deeper communication and interactions at the central level, between customs houses at the regional level and customs posts at the local (BCP) level.	Elaboration of bilateral agreements between the Russian Federation and neighbouring EU countries in the area of customs cooperation on the related with cargo traffic management and goods processing at the road BCP.	Customs cooperation forms on traffic flow management used at the Belarus border with the EU countries could be assessed in terms of their suitability for introduction at the border between Schengen Area and Russia.	See subchapter 6.2.4
7.	To identify corrective/remedial measures reducing the time required for different procedures at the road BCP on both sides of the border.	Elaboration of a methodology on joint road border crossing time measurement and analysis with neighbouring country.	The methodology tested and proved at one or a few BCP could be afterwards recommended for a broader use in the ND countries.	See subchapter 6.2.7
8.	To avoid disparities in infrastructure on the both sides of the border leading to incompatibility of procedural and operational settings.	Joint exercises of agencies responsible for BCP development (e.g., Rosgranitsa and its partners on the other side of the border): - In joint elaboration of strategic documents covering perspectives of procedural and infrastructural development on both sides of the border; - Or bilateral adjustments of national development strategies; - In design of specific BCP construction or reconstructions.	Prepared output strategic documents could be presented regionally as an example for implementation. Proper coordination and interaction tools between the BCP development agency and border control agencies should be in place. Plans for establishment of new BCP should consider first of all a possibility of joint control and one single master plan for both national parts of the BCP.	See subchapter 6.2.1

9.1.3 Other recommendations

The following recommendations, deriving from the Study findings, could be addressed to the respective EU institutions and authorities in the CU countries:

Table 10 Other recommendations

No.	Objectives	Recommended actions	Reference to the appropriate part of the Study
1.	Neighbouring EU countries need to harmonize national legislation on fuel and other excise goods taxation. Introduction of any limitations should consider policies of neighbouring countries in order to avoid disproportionate increase of BCP workload in the countries with “softer” rules.	Address recommendation to TAXUD (Taxation and Customs Union Directorate-General, European Commission)	See subchapter 2.1.1
2.	Preliminary analysis in HQs of border agencies and preparatory actions should be defined to cope with potential increase of traffic volumes following the future introduction of visa-free regime between the European Union and Russia.	Address recommendation to DG Home (Home Affairs Directorate-General, European Commission)	See subchapter 2.1.2
3.	It is noticeable that examination of vehicle documents takes more time than passport control due to insufficient standardisation of vehicle registration documents, lack of uniformly applicable procedures and requirements among the countries regarding vehicles checks at the borders. Unification and standardization of vehicle registration certificates, as well as procedures related with legality of vehicles movement across border, at least among EU countries, could speed up and improve effectiveness of border crossing procedures at the road BCP.	Address recommendation to DG Home, DG Move (Mobility and Transport Directorate-General, European Commission)	See subchapter 2.2.5
4.	In order to make more convenient trips of EU countries citizens in their own cars to Russia and other countries of the CU, further simplification of customs declaration for travellers who have nothing to declare, except temporary admission of the vehicles, could be considered by the CU authorities.	Address recommendation to Russian Federal Customs service	See subchapter 2.2.10
5.	Automatic printing of immigration forms should be introduced at all road BCP, as it is practiced at airports. Such documents as immigration cards are not used in the EU countries. EU countries experts can share experience how to replace these documents with appropriate access and use of electronic databases.	Address recommendation to Rosgranitsa	See subchapter 2.2.10
6.	To assess feasibility to establish EU agency supporting and reinforcing cooperation between national customs (similar to Frontex).	Address recommendation to TAXUD	See subchapter 7.1.1, Box 2

9.2 ICT RELATED GUIDELINES AND RECOMMENDATIONS

9.2.1 Next Steps

The following next steps summarize the various actions presented above in chapter 8. These next steps are recommended in order to ensure continuity and sustainability through follow-up of long term IBM ICT development in the ND Region.

It is regarded an advantage that ND MS already collected valuable extensive experience in IBM ICT, now available with all stakeholders, this includes i. a.:

- SW: national SW facilities in the ND MS are available/under development; this process needs to be supported further.

- Other systems:
 - in Estonia, Finland, and to some extent in Russia the *GoSwift* and *SPEED* systems are in place.
 - PCSs as *PortNet* and *EstPortNet*, as well as the *Smart Corridor* provide a promising platform from which road and rail BCP are to be connected including the public and private stakeholders

The future process should therefore be guided by two main steps:	
a)	focus on harmonizing existing procedures within the ND MS Region. This requires to elaborate an agreement among the ND MS and all stakeholders concerned. This process can be accelerated by exploiting existing bi-national agreements and regional agreements.
b)	establish an harmonized IBM ICT network covering all ND MS region-wide The NDPTL secretariat, being the main beneficiary in this project, should continue to be proactive in conjunction with the EC and all stakeholders, and act as the focal management body to initiate and follow-up next steps.

The above recommendations lead to a series of Next Steps as summarized in the graph below and shown in more detail in Table 11:

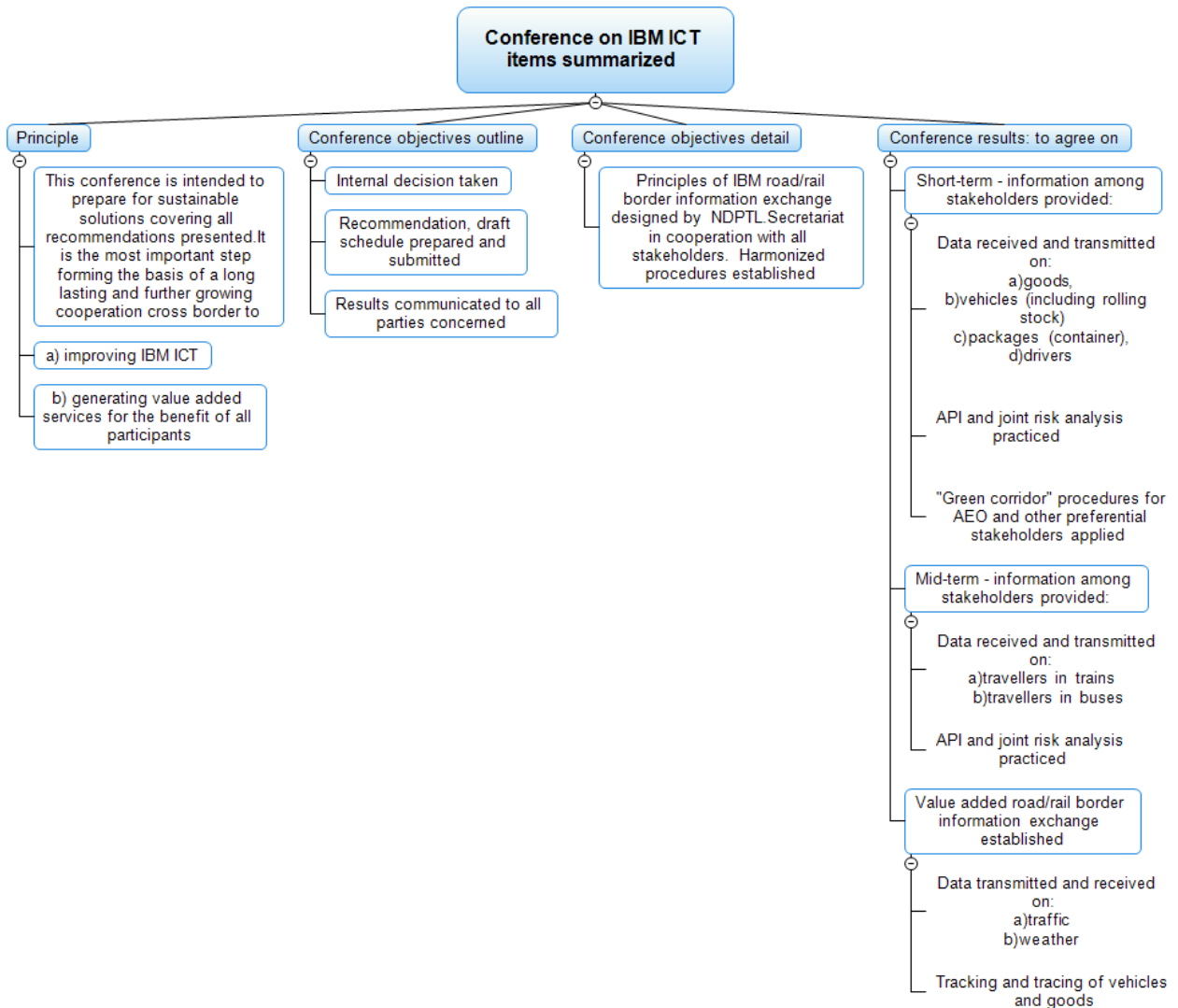


Table 11 Next Steps

No.	Action	By whom	Comment
1	Conference on ICT - IBM	NDPTL Secretariat	<p>This conference is intended to prepare for sustainable solutions covering all recommendations presented.</p> <p>Thus it is the most important step forming the basis of a long lasting and further growing cooperation cross border to</p> <ul style="list-style-type: none"> a) improving IBM ICT b) generating value added services for the benefit of all participants <p>Internal decision taken</p>
1.1	Recommendation, draft schedule prepared and submitted	ditto	Communicated to all parties concerned
1.2	Conference result prepared: IBM main actions as identified in the IBM Report	NDPTL Secretariat, Conference delegates	Delegates' decision to be confirmed by the various national services of the ND MS
2	IBM road/rail border information exchange	NDPTL Secretariat in cooperation with all stakeholders	Harmonized procedures established
2.1	Short-term information among stakeholders provided:	NDPTL Secretariat in cooperation with all stakeholders	Agreement concluded by all stakeholders; existing agreement on data transfer exploited, i. a.: Finnish, Estonian example
2.1.1	Data on <ul style="list-style-type: none"> a) goods, b) vehicles (including rolling stock) c) packages (container), d) drivers received and transmitted as requested by the national services at the BCP	NDPTL Secretariat in cooperation with all stakeholders, plus: PCS, BCP agencies	Harmonized data transfer by exploiting existing and developing further intra-agency, inter-agency, and international information exchange.
2.1.2	API and joint risk analysis practiced	NDPTL Secretariat in cooperation with all stakeholders, plus: PCS, BCP agencies, and the Joint Risk Analysis Centre	ditto
2.1.3	Green corridor procedures for AEO and other preferential stakeholders applied	ditto	Procedures are harmonized
2.2	Mid-term: information among stakeholders provided:	ditto	Stakeholders have confirmed interest. Joint agreement to be concluded
2.2.1	Data on:	ditto	

No.	Action	By whom	Comment
	a) travellers in trains b) travellers in buses received and transmitted as requested by the national services at the BCP		
2.2.2	API and joint risk analysis practiced	ditto	
3.	Value added road/rail border information exchange	NDPTL Secretariat in cooperation with all stakeholders	Harmonized procedures established
3.1	Data on: a) traffic b) weather information along the specified road transport corridor transmitted to users	NDPTL initiates harmonized agreements with national agency, e.g. each Ministry of Transport	The agreement concluded specifies the services to be provided and the service provider. Services include transmission of messages to users of the system ¹³¹ on, i. a.: obstacles, accidents, re-routing advice, queuing at the BCP and related time estimates, parking advice for vehicles, and estimated waiting time for certain categories of vehicles and cargo. The service provider could be established as one single PPP ¹³² for the ND Region.
3.2	Tracking and tracing of vehicles and goods loaded on to them	ditto	Ditto. Tracking and tracing is in place to some limited extent already. Finally, the service covers the entire transport chain and all modes of transport

Above recommendations should be implemented on a voluntary basis rather than awaiting EU regulations. This procedure would potentially save time and costs.

9.2.2 Conclusion and Key Recommendations

All representatives met have clearly addressed the advantage of ICT in contributing to open and secure borders. Advanced ICT systems implemented and experience gained provide a rich basis of further growth of networking and can contribute to exonerating the situation at the BCP region wide.

It is now high time to support the EC and individual countries' initiatives to linking existing networks and building a harmonized system followed by all ND MS similarly to become part of the EU *Smart Borders Programme* where applicable.

The particular opportunity derived from the present situation is to look at the further development by combining two principles:

- a) Continue on the beaten track of having all relevant data at the BCP prior to arrival of goods and persons. This is regarded the prime task benefitting IBM as explained and presented by Ifis
- b) Deepen and extend the value added services started along the transport route by providing traffic information, routing of individual vehicles, emergency services, advanced booking of services and parking slots at the BCP, etc.

¹³¹ Users will pay for the value added services. This will generate finance for the investment
¹³² PPP preferably comprises Eastern/Western partnership. Private logistics providers may be interested in particular to build and operate the system based on long term agreement (25 – 30 years)

The above two principles should include all modes of transport and be based on voluntary agreements.

It has been noted that countries having embarked on the above activities have reached a different state of progress, resulting in some inhomogeneous ICT networks. It is therefore recommended to formulate agreements harmonizing the progress and, most importantly, reach harmonized procedures accepted cross border.

It is often mentioned that the need for harmonization can accelerate speed and raise the efficiency of work at the BCP.

It is known by all parties interviewed that harmonization is depending on the political will of all stakeholders concerned. The technical, legal and organisational know-how are already available as it is being demonstrated by various ND MS and the EC agencies.

The political will yet needs to be demonstrated and maintained.

The intrinsic advantages for all ND MS seem to be apparent and recognised by the interviewed stakeholders.